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The Martin Family.

The House of Martin:

10988
Being Chapters in the History of the West
of England Branch of that Family.

BY

W. G. WILLIS WATSON.

ILLUSTRATED.

WITH AN INTRODUCTION

BY

H. TAPLEY SOPER, F.R.HIST.S.

EXETER:

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Ad Fratrem Mibi.

Preface.

AS a lad I many a time gazed upon the memorial brasses and tablets in the beautiful Church of Crewkerne, and wondered and wondered what kind of people they were whose names are perpetuated in these pieces of metal and stone.

One dull sheet of brass always interested me because of the quaintness of the crest which surmounted the coat of arms—a monkey gazing into a mirror.

I could see from the inscription below that these were the arms and crest of Adam Martin of Seaborough. The desire to know more of this man grew upon me, and the information I have gleaned I now offer to, I trust, an indulgent public.

I have endeavoured to recover from the huge scrap-heap of history some local fragments, and to give in the following pages incidents in the lives of men who were prominent in assisting to mould the history of this country—men who were closely associated with and who brought honour to the West of England.

To my brother, Mr. Edward J. Watson, F.R.Hist.S., F.R.S.L., Mr. Morris Drake for his illustrations, and to Mr. H. Tapley Soper, the Exeter City Librarian, I am greatly indebted for much valuable assistance, and had it not been for the excellent Reference Library of the City of Exeter, this book would probably never have been written.

But here it is, and if in offering such information as it contains I am adding anything of interest to local history, then I am well repaid for my labours.

W. G. WILLIS WATSON.

EXETER, 1906.

Introduction.

THE importance of the study of family records has yet to be fully recognised. As a handmaid to the investigation of the wider subject of general history, and, perhaps, more especially of local topics and domestic manners and customs, its helpfulness cannot be overestimated.

Since the days of the old historians who essayed, unaided, to write concerning the constitution and doings of the whole world, the fashion of recording history, like that of locomotion, has changed. Students are no longer satisfied with generalities. Proofs of the most minute details are demanded. Therefore, we find modern histories absorb the work of a number of writers, each learned in a particular period, or expert in a special subject or phase of a question. Thus it often happens that the labours of many years result only in a monograph on a single subject—lucid and comprehensive—instead of a long row of volumes full of loosely drawn, undigested statements, for which no tittle of evidence exists; many of them copied, it may be, from previous workers in the same field, and accepted *ipso facto*.

Personal records form a very important byway of history. Nowhere is carelessness more often apparent than in this branch of research work. And the Martin family have been particularly unfortunate at the hands of historians. It only needs a glance at the vast number of authorities quoted to show the reader that Mr. Willis Watson has aimed above all at accuracy. He clears

up many discrepancies which have found their way into print, and have been accepted by one writer after another as facts ; and, after judicious sifting and comparisons, he presents to the reader in a continuous narrative what is, no doubt, the most accurate account of a family, which in its day and generation must have been amongst the most important and influential throughout the Western Counties, for, as the author says, " The history of the Martin family from Norman times to the end of the fifteenth century is the history of England in cameo."

Mr. Willis Watson has dealt principally with those Martins who lived and laboured in Somerset, Devon, and Dorset. Whether or not all who bear this honourable name are connected with the family of which the great Saint Martin of Tours was a member it is impossible to say. We think it more than probable ; but for them to be able to trace their origin even from the Norman Knight, Martin de Turonibus, who came to England with William the Conqueror, is something of which they may be proud.

Should the thirst for knowledge end with the perusal of this book the reader will be well repaid. Mr. Willis Watson has given us an interesting word picture, presenting to view many incidents connected with mediæval times. He forces one to ruminate over the changes, both governmental and domestic, which have taken place since the days of the Conqueror and his immediate successors. The Martins literally carved their way to the front. He traces the doings of the chief members of the family from the period when a portion of Wales, then an unconquered country, fell a victim to Martin de Tours, whose prowess also brought him estates in Somerset and Devonshire. Then, step by step, he introduces us to men who on account of their loyalty to their King and country added acres to their possessions, and, consequently, power to their names, until he reaches

William Martin, who can very justly be placed in the foremost rank of men who are remembered as the pioneers of the English judicial system which, as Mr. Watson remarks, "has grown up through long ages and, which, founded on a basis laid down by that shrewd and enthusiastic lawyer, Henry II, is now a pattern for the world."

Then, in turn, he brings upon his stage Martins who were brave soldiers, members of the Bench and Bar, successful traders, and men who have left honoured names in the annals of the country. And, as the author leads the reader from one noted character to another, he deals with some degree of fulness with the manners and customs of the periods, and, incidentally, raises questions of considerable importance.

One of these is as to when the office of coroner was instituted. It is a point which is of intense interest, and Mr. Watson's remarks thereon may induce some readers to pursue a course of research in order to throw further light on the matter. This is but an indication of what the book contains; the whole work is instructive, and in parts reads like a romance. It should prove of strong personal interest to many West Country people, for there are few families of repute in the West which are not in some way or other associated with the Martins or with the times in which they flourished; and numerous indeed are the towns and villages in Somerset, Dorset, and Devon which have close connection with this family.

The saying of Sir Thomas Overbury that "The man who has nothing to boast of but his illustrious ancestry is like a potato; the only good belonging to him is underground," can be regarded as a mere pleasantry. We are beginning to realize that the better to understand the history of the Nation we must study the records of the families who have played their parts in and have furnished


the bone and sinew of national action. Mr. Willis Watson's book possesses a special interest for all who bear the honoured name of Martin, by whom it will be welcomed as an instructive historical work, flavoured with a strong personal interest.

It is, further, a valuable contribution to the literature concerning the West Country, and it should prove of considerable value to students interested in the past history of this part of England.

H. TAPLEY SOPER.

EXETER, 1906.

History of the Martin Family.

REWKERNE Church is the chief architectural feature of this pretty Somerset town—a town cradled amid surroundings which might well excite the envy of the less favoured children of that great mother, who has given some of her best to the dwellers in the land of the Somersætan, a district claimed by Professor Freeman to be older than England itself.

It is no plebeian's child. Sentinels protect it on every hand. Stretching from the north, away to the west, on to the south, round to the east, and back again to the north, these guards have stood faithful as century has succeeded century, preserving their charge from the rude attacks of Boreas, and turning even the thunderbolts of Jove from their destructive courses.

And Nature, who loves her children with an affection which passeth understanding, has lavished upon them the most brilliant garments, and has surrounded them with a setting such as no mortal could ever command.

Where such pearly dress as the apple tree puts on in the month of May? Where such diamonds as the dewdrops glinting in the rays of the rising sun? Where such a cloth of gold to tread as the meadows richly covered with buttercups?

And the fairy elves dance the moonlit night through round the anemones, drink their fill from the golden kingcups, and

rock themselves to sleep on the nodding bracken in the midst of the woods, guarded by the Dryades.

Hygeia herself might have dwelt in this locality, with Diana, the Napææ, and the Hamadryades for companions. Each could have chosen their sportive areas within sight of the other, for trees, hills and dales, and hunting ground mingle in delightful confusion.

Through the dim mist of ages, Crewkerne can be seen holding an important position. And legend gives it close connection with the Arimathean Joseph, who, with his twelve companions sent West by Philip, bearing with them the Holy Grail, landed on Albion's coast, and, eventually, reached the beautiful Isle of Avalon. And that little band of pilgrims, with roods aloft, passed through what is now the town of Crewkerne, and marked their halting places.

"Around the thirdly planted rood—the rood that rose beneath the hill of Cunnygar—a little thorp sprang up, and teachings of the Christes evangely were made foreby the sacred spot where Joseph rested. Eftsoones one of the holy-men recoured, and made his cell anigh, and lessoned to the heard-groomes, and kept up the cross. Betimes the thorp was yclept *Cruce-earn*, the hermitage beside the cross.

"There at the rood, with naught but heaven above, the eastern hermit stood, as later did the Saxon priest, telling to wights who tarried the story of His love; and till the church arose upon the western knoll no other spot was hallowed like as this.

"In time the timbern cross gave place to one of stone, and Master Leland tells us how that when he stopped at 'Crokehorn' he did 'see a praty crosse environed with small pillers.' But now no trace remains of this, nor of the hermitage, natheless their names outlive them; and as if to mark the very spots where rested these rare monuments, two ways called Hermitage and Cross Tree Streets were made.

"The former still exists ; the latter lives but in an ancient deed. And so the places of the rood and cell can yet be traced, and, standing at the bottom of the Hermit's Street, in fancy we behold them ; and further back our memory leads us till we see Saint Joseph and the Holy Grail, and afterwards the hermit preaching to the folk whose chapel was the open air, whose organ was the birds of heaven.

"This is the quaint and simple legend told of Cruce-earn, now Crewkerne, the hermitage beside the cross."¹

By legendary lore Crewkerne is thus connected with the introduction of Christianity into England, and with that little Church of Glastonbury, described by Ambrosius in his conversation with Sir Percivale :—

"From our old books I know
That Joseph came of old to Glastonbury,
That there the heathen Prince, Arviragus,
Gave him an isle of marsh whereon to build ;
And there he built with wattles from the marsh
A little lonely church in days of yore." ²

And in gazing at Crewkerne Church standing upon the western knoll, one turns in thought to conjure up the preaching places of the town through remote ages, and to compare their simplicity with the grandeur of this pile occupying the foundations of a building which existed in Norman times.

The Church is full of interest. Its most attractive feature is the west front, a piece of work so grand that few churches in the county—renowned for its ecclesiastical architecture—can compare with it. Indeed Professor Freeman considers it to even rival the west front of Bath Abbey. The curiously carved gargoyles always claim attention, and the archæologist has an intensely interesting problem ever before him awaiting

¹ E. J. Watson's *The Legend of Crewkerne*.

² Tennyson's *The Holy Grail*.

solution—the reason of the external “stone seat,” situate at the south-east corner of the south transept.

This curious feature consists of a pointed arch between two buttresses, the space above being roofed over with stone slabs, thus forming an arched recess nearly eight feet high by about three feet wide. At the back, against the wall of the Church, is a stone seat, sixteen inches wide and eighteen inches high, the full length of the recess, the floor of which is now about sixteen inches higher than the ground outside. In the wall above the seat is a niche, probably for a statue. What was the original use of this strange seat?

Then, internally, the nave at once calls forth words of admiration, for its great height is most striking. The massive pillars, the seven-light west window, and the mural monuments attract the general as well as the more critical visitor.

The memorials in brass are few in number. But two or three of them are of the greatest interest, connecting Crewkerne Church with families of high repute in the days which are passed.

On the east wall of the south transept is an etched brass bearing this coat of arms:—

Argent two bars gules, impaled with a barry of six, ermine and gules.

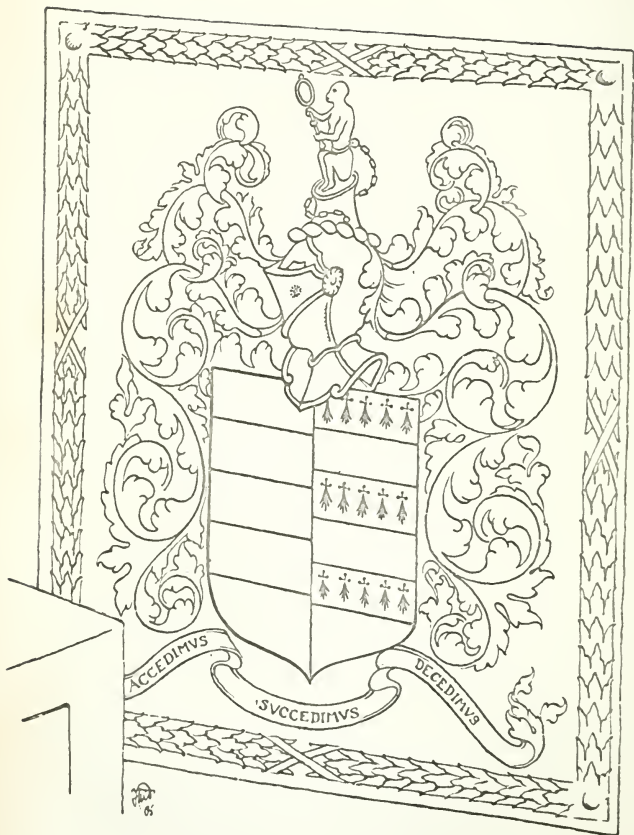
CREST:—On the stump of a tree, couped and erased, Argent, a monkey, sejant, proper, collared and lined Or, looking in a mirror framed of the last.

THE MOTTO is:—Accedimvs, Svccedimvs, Decedimvs.

Underneath are the words:—

These are the Armes
of Adam Martine of Seaboro^m
Esq^r and his wife the dafter of Hvbvrde Hvss
of Sedland, Esq^r. ie

And as one looks at the quaint crest and motto, and the old carved letters, one is inclined to wonder who “Adam Martine,” of “Seaborow,” was, and who was the “dafter of Hvbvrde Hvssie,” and where is “Sedland”?



Martin Brass in Crewkerne Church.

It has been suggested that the Martins¹ were kinsfolk of Saint Martin, the famous Bishop of Tours, who lived in the fourth century. True, the suggestion is only indirectly made, but an examination of it reveals a curious blunder. Dugdale says the first of the name was Martin de Turon, who came into England with William the Conqueror.² Westcott adds that this Martin had a sister called Concha, or Conches, wife of Calfulnius, or Calprunius, presbyter Brittanus, who was the mother of the famous Saint Patrick of Ireland.³ And Prince perpetuates this legend⁴ with the result that many other writers have adopted this strange piece of history.

Westcott has confounded Saint Martin of Tours and Martin of Tours. The latter came over with the Norman Conqueror in 1066.⁵ Consequently he could not well have been a brother of Concha, the mother of Ireland's Patron Saint, for the famous Saint Patrick was born in the latter half of the fourth century. He was reared a Christian, and he had relations (*parentes*) in the Britains. Patrick's father, Calpornius, a son of Potitus, lived at a place called Bannauem Taberniæ, near which he had a small farm. He was both a deacon and a decurio, and, therefore, belonged to a Roman colony. His wife, Conceso, or Concha, a Frank, was a sister of Saint Martin,⁶ or, at least, a kinswoman.⁷

Saint Martin of Tours was born at Sabaria or Pannonia, in Lower Hungary, in the year 314.⁸ He was a strange character, being described by some as a gloomy ascetic, by others as an imposter, and a crazy lunatic. But there are chroniclers who have painted his character in brighter colours.

¹ There is considerable variation in the spelling of this name—Martin, Martyn, Martine, etc. The later Devonshire branch of the family adopted "Martyn."

² Dugdale's *Baronagium*, i, 729.

³ Westcott's *View of Devonshire*, 594.

⁴ Prince's *Worthies of Devon*, 574.

⁵ Dugdale's *Bar.*, i, 729.

⁶ Cal. of the Carew MSS., *The Book of Howth*, 16.

⁷ *The Tripartite Life of Saint Patrick*, i, 9.

⁸ Matt. Paris' *Chronica Majora*, i, 170.

Fortunatus, Bishop of Poitiers, and Sulpicius Severus, the French ecclesiastical historian, wrote of him in "elegant Latin," and, although, probably, not altogether free from bias, Sulpicius Severus was amongst those who studied him closely, for he was one of his disciples.¹ His *Vita S. Martini Turonensis* was, it is recorded, printed in 1480.

Saint Martin became Bishop of Tours in 371. To the zeal and charity of a bishop this man joined the humility and poverty of an anchorite, and so that he might detach himself the more from the world he built the celebrated monastery of Marmoutier, situated near the city of Tours, between the Loire and a steep rock.

There is a doubt as to the date of Saint Martin's death. One writer gives the event as happening on the 8th November, 397; another the 11th November, 400; but according to the Roman Calendar of Saints, the date is fixed as the 11th November, 397, and from it originated the feast of Saint Martin. The place of his decease was Candes, and he is one of the first of the Saints Confessors to whom the Latin Church offered up public prayers.²

Stories are told of the miraculous cures performed after his death in his name. Sidonius says the body of Saint Martin, venerated over the whole earth, in which virtue resides though life be at an end, was taken from its original resting-place, and carried to the Church of Saint German, Auxerre. Startling miracles astonished the people of the district, and the cures being paid for, a dispute soon arose as to the division of the spoil.

The Turonians claimed the whole of the proceeds, urging that Saint Martin, their patron, had called the contributors together by his miracles. But the natives of Auxerre considered they had a right to their share, because Saint German was a saint by no means unequal in merit to Saint Martin.

A test was applied, with the result that Saint Martin is said to have fully justified the confidence reposed by his followers

¹ *Encyclopædia Britannica*, xxi, 702.

² *Encyclopædia Britannica*, xv, 582.

in his power to perform mighty cures, and the Turonians who brought the body to Auxerre filled their purses by the assistance of their patron.¹

That Adam Martin, a brass to whose memory is still to be seen in Crewkerne Church, descended from the family of which Saint Martin of Tours was a member, is problematical. That he was of the family of Martin of Tours, who came to England with the Norman Conqueror, is a fact beyond doubt.

Martin de Tours² was a general officer in the army of William I,³ and a bold and warlike adventurer. His name, entered as *Le Seig. de S. Martin*, is included in a table of all "the noble capteins and gentlemen of name as well Normans as other strangers, which assisted Duke William in the conquest of this land." And it is also repeated in "the Roll of Battell Abbeie."⁴ Fighting was his profession; and he, like many others, accompanied the Norman William to England, not only to do battle, but to share in such spoils as were to be distributed by the successful invader. William readily admitted persons to his friendship and bestowed honours on them without distinction. He was particularly generous to his followers. Baronies and fiefs of the Crown which belonged to the adherents to Harold were confiscated, and the Normans became possessed of many great estates; in fact, the English nobles and gentry were swept on one side and foreigners occupied their places.

Martin de Tours fully shared in the grants which were made by his Royal master. First, he became possessed of lands in the maritime parts of Somerset and Devonshire.⁵

The gifts, probably, included the manor of Dartington, in Devonshire, an estate associated with noble families. William de Falesia is recorded as its owner when Domesday was com-

¹ William of Malmesbury's *Chronicle of the Kings of England*, 116.

² Also known as Martin de Turon and Martin de Turonibus.

³ Hutchins' *History and Antiquities of the County of Dorset*, ii, 582.

⁴ Holinshed's *Chronicles*, ii, 3, 7.

⁵ Fenton's *Historical Tour through Pembrokeshire*, ii, 521.

piled.¹ He was in possession in the twentieth year of William I, but in 1088² it came to the Lord of Cemaes³ together with other lands which William de Falesia held in the county.⁴

Combe Martin and Martinshoe, in Devonshire, bear names which have been associated by other writers with this man.⁵ But it is said that Combe Martin, at all events, did not come into the possession of the Martin family until after the death of Sir Jeffery or Galfrid Camvil, or de Camville, husband of Matilda Tracy, in the reign of Edward I,⁶ after which the property passed to William, Lord Martin.⁷

Then as to possessions in Somerset, when Domesday was compiled Blagdon, or Blachedon, as it was then called, was held of the king by Serlonis de Burceio, but soon after the Conquest most of the estates of this man also came into the possession of the Martin family.⁸ In fact, the manor was the head of their large barony, being held of the king *in capite* by the service of one knight's fee; and the lordship continued in their hands in regular succession until 18 Edward II.⁹

The mention of a knight's fee suggests an interesting feature in the early tenure of land and its responsibilities. When the Normans conquered England they introduced the feudal law in all its rigour. And this was based upon a military plan. All the lands in the kingdom were divided into what were called knights' fees, in number above 60,000, and for every knight's fee a knight or soldier (*miles*) was bound to attend the king in his wars for forty days in a year. Thus the king always had at his command 60,000 men to do him service and without cost;¹⁰

¹ *Domesday Book* (Record Office Reprint), 346.

² Hutchins' *History of Dorset*, 582.

³ Spelt also Camaes, Kemeys, Camoys, Camois, Kemmoys, Kemmeys, Kemoyes, Ceamwys, etc.

⁴ Sir William Pole's *Collection towards a Description of Devonshire*, 16.

⁵ Westcott's *View of Devonshire*, 252; Risdon's *Survey of Devon*, 350.

⁶ Worthy's *Devonshire Parishes*, ii, 239.

⁷ See page 27.

⁸ *Domesday Book* (Record Office Reprint), 418.

⁹ Collinson's *History of Somerset*, iii, 569.

¹⁰ Blackstone's *Commentaries*, i, 410.

and there was this further advantage that the defence of the realm was placed in the hands of the king's own subjects, which was far preferable to trusting to hirelings or foreigners.

There is a question as to how much land was required to constitute a knight's fee. Selden contends that it did not consist of land of a fixed extent or value, but was as much as the king was pleased to grant upon the condition of having the service of one knight. In 3 Edward I, a knight's fee was estimated at twelve ploughlands, and its value (though it varied with the times) in the reigns of Edward I and Edward II was stated to be £20 per annum.¹ It has also been given as between 100 and 500 acres of land suitable for cultivation, and in Staffordshire the average was 3,000 acres, inclusive of woods and waste. If a man held but half a knight's fee² he was only bound to attend his lord to the wars for twenty days, and so in proportion.³

All tenures were derived, or supposed to be derived, from the king. Hence all who held immediately under him, in right of his crown and dignity, were called his tenants *in capite*, or in chief. This was the most honourable species of tenure, but at the same time subjected the tenants to greater and more burdensome services than inferior tenures did.⁴

Martin de Tours was not content with small possessions, and he fought to gain more. The king gave his generals the greatest encouragement in the subduing of the country. The wild dwellers in Wales proved a foe worthy of the Normans' prowess. But the leaders of King William's forces, one after the other, declined to do battle with the untameable people located in the Welsh fastnesses.

Martin de Tours, however, with magnificent bravery, set about the task which others had not found courage to face.

¹ Blackstone's *Commentaries*, ii, 62.

² Blackstone's *Commentaries*, ii, 62.

³ See page 63.

⁴ *Ibid.*, ii, 60.

Gathering about him a formidable army, he put to sea, probably indifferent as to where he went.

Fate landed him at Fishguard. The dwellers there offered but a weak resistance, and Martin marched into the interior and took his stand on the height of Cronllwyn. From thence he reconnoitred the country. At Morvill there was a great battle; Martin proved victorious. From that time his advance was not seriously impeded, and the Welshmen were soon glad to submit to his authority, at least for a time. The native prince, the son of Rhys ap Tewdwr, was then a minor. When he came of age there was further unpleasantness with Martin, but in course of time the dwellers in this part of Wales had to own the Norman general as their lord.¹

Amongst the conquests which Martin made was that of the district of Cemaes, in Pembrokeshire. And there is the interesting fact attaching to this place that it is, perhaps, the only lordship marcher in the kingdom that perfectly answers to legal definition, for it was absolutely conquered by a Norman knight, with his own force, whilst it was part of the hereditary dominions of the Princes of Wales, and even before Arnulph de Montgomery, aided and commissioned by the English monarch, had entered Pembrokeshire to make conquests in the king's name.²

William did not forget his faithful Norman follower after he had warred so successfully against the Welsh. Soon the barony of Cemaes was conferred upon him.³ Such was its extent that it was divided into twenty knights' fees, thirty-four ploughlands, and four boroughs.⁴ This feudal barony was co-extensive with the modern hundred which embraces within its limits twenty-five parishes, is divided into several manors and lordships, and measures in circumference some sixty miles.⁵

¹ Fenton's *Hist. Tour*, ii, 522-3.

² *Ibid.*, ii, 521.

³ Dugdale's *Bar.*, i, 729.

⁴ Fenton's *Hist. Tour*, ii, 525.

⁵ *Archæologia Cambrensis*, iii, vi, 64.

The time came when Martin tired of fighting. He had spent a life full of danger and hardship. All his days he had been at war; campaign had followed campaign; there had been no rest for him. True, he had secured to himself much land as a return for his labours. But as years crept over him, and his strength grew less, Martin turned his thoughts to works of piety and gave up fighting.

He commenced the foundation of a monastery for Benedictine monks at Saint Dogmael's, within the precincts of Cemaes. Under his care the building progressed, and at his death he was buried in the middle of the choir.¹ The monastery was annexed as a cell to the Abbey of Tyrone, in France.²

The actual successor to the doughty warrior, Martin de Tours, is difficult to trace. That he was a Robert FitzMartin cannot be doubted. But we find within a limited number of years two or three Roberts. Taking the average of years allowed to a generation—thirty—it is possible there were three Roberts. But the records are silent as to the births and deaths of these men, and the dates must be left to conjecture.

It is also difficult to state definitely when William FitzMartin, the son of Robert, came upon the scene. This is to be regretted, as he is one of the most interesting members of this highly notable West Country family.

To a Robert FitzMartin was left the task of carrying on the religious work commenced by Martin de Tours. This man, moved to compassion by the poverty of the monks of Tyrone residing on his property in Wales, appointed an abbot and obtained a grant of free and undisturbed possession of lands on their behalf. Amongst the gifts which came to the monks from time to time was the island called Pyr, or Caldea, the gift of Robert FitzMartin's mother. They had also pannage allowed them in Robert's woods, and timber for building; the fishery

¹ Geraldus' *Itinerary of Arch. Baldwin through Wales*, A.D. 1588, ii, 45.

² Dugdale's *Bar.*, i, 729; Geraldus' *Itin. of Arch. Baldwin through Wales*, ii, 40.

of Saint Dogmael; the skins of all deer and other animals taken by him in his hunting, except such as his huntsmen were entitled to; and the manor of Ratreu, in England.¹

His wife also took a keen interest in their religious work, and by her persuasion more was done for them than probably Robert ever intended, for even the ancient Church of Saint Dogmael came to the monks as a gift.

In time the new establishment grew to such importance that it was placed in charge of an abbot, and Fulchardus was publicly enthroned in that office, after an imposing ceremony, by Bernard,² the first Norman Bishop of Saint David's (1115—1147), a see which, in later years, was ruled over by a member of the Martin family. And from the foundation charter it appears that William, Abbot of Tyrone, was present at this memorable event, which took place about 1126.³

The last abbot of this monastery was William Hire, who, together with Hugh Exno, and seven others, subscribed to the Supremacy on the 30th July, 1534, and received a pension of £13 6s. 8d. per annum.⁴

Robert FitzMartin was lord of Dartington in the reign of Henry I, and when not engaged in opposing the incursions of the Welsh into his territory at Cemaes, he resided from time to time at his Devonshire seat.⁵ And a Robert FitzMartin is included in a list of the "men of nobility and woorth that lived in King Stephen's tyme within Devon."⁶ He is also suggested as the first founder of Combe Martin Church.⁷

A Robert filius Martini witnessed a charter of the Empress Maud, daughter of Henry I, in 1142,⁸ and, subsequently, two other charters of the Empress,⁹ both of the latter at Oxford.

¹ Dugdale's *Monasticon*, iv, 128.

² *Arch. Camb.*, v, vii, 209.

³ *Itin. Arch. Baldwin*, ii, 46.

⁴ *Ibid.*, ii, 45.

⁵ *The Note-Book of Tristram Risdon*,

⁶ *Risdon's Note-Book*, 125.

⁷ *Toms' Notes on Combe Martin*, 8.

⁸ *Royal Charters, Duch. of Lanc.*, No. 17 Pipe Roll.

⁹ *Journal British Arch. Assoc.*, xxxi, 391, 395.

And the same Robert FitzMartin appears in the Pipe Roll of 31 Henry I, in connection with Dorset. Dugdale and Eyton affiliate him as the son of Martin of Tours.¹

It is suggested, however, that this was Robert Secundus,² and that he died about 1158, for in that year his lands in Somerset were in the hands of the king,³ and his estates were also described as in the king's hands in the following year.⁴ He held lands in Devon, for he was lord and baron of Dartington.⁵

Another Robert is reported to have wedded the daughter and heir of William Fitzwalter, and to have had a son, William.⁶ He is also said to have married Maud Peverel,⁷ and to have granted land in Burton to the Canons of Plympton, Devonshire. As lord of the manor of Blagdon he gave the Church of that place to the Cistercian Abbey of Stanley, Wilts, in 1166, and half a furlong of land in his manor of Cumbe (Combe Martin) to the monks of Lewes, Sussex, quit claiming to them all his title to the Chapel of Cumbe. He had issue, William⁸ and a daughter, Sibella, who was married to Warine, to whom William, her brother, gave twelve furlongs of land of his manor of Cumbe, and certain other lands, "and all the men living in the same land with all their children, and with all appurtenances in woods, in plains, in lanes, in ponds, in mills, and rights of common pasture in the manor of Cumbe."⁹

It was also, probably, this Robert by whom scutage was paid in the counties of Somerset and Devonshire in 1161-63.¹⁰ In 1166 he held three parts of a knight's fee of the Bishop of Bath,¹¹ and five knights' fees of Glastonbury Abbey.¹² In the time of King John he gave half a hide of land in Compton and half a hide on Mendip to the Abbey of Goldcliff, in Monmouth-

¹ *Accl. MSS.*, 31943, fol. 90.

² *Risdon's Note-Book*, 65.

³ Pipe Roll, 5 Hen. II.

⁴ Pipe Roll, 6 Henry II.

⁵ *Risdon's Note-Book*, 149.

⁶ *Pole's Desc. of Devon*, 17.

⁷ *Itin. Arch. Baldwin*, ii, 40.

⁸ *Dugdale's Bar.*, i, 729.

⁹ *Toms' Notes on Combe Martin*, 9.

¹⁰ Pipe Roll, 8 Henry II.

¹¹ *Lib. Nig. Scac.*

¹² *Round's Geoffrey de Mandeville*, 94.

shire,¹ an establishment which Dugdale, on the authority of Tanner's *Notitia Monastica*, states was founded by Robert de Chandos in 1113.²

He was succeeded by his son and heir, William, around whom hangs a good deal of romance and much that is of historical interest.

We do not know the date of William's birth, or the place of his nativity. He was, probably, a Somerset man. His father, as has been pointed out, owned lands in Wales, Somerset, and Devonshire. Blagdon was the head of their large barony,³ and no doubt he had a residence there, as he had at Dartington, in Devonshire.

At all events, we can claim William Martin as a West of England man. And we are proud to do so, for, after a lapse of nearly eight hundred years, we can look back upon him as one of the very pioneers of that judicial system which has grown up through long ages, and which, founded on a basis laid down by that shrewd and enthusiastic lawyer, Henry II, is now a pattern for the world.

In 1158, William Martin was employed in the Exchequer, and it is recorded that he was excused from the *donum* on his land in Hampshire.⁴

The *donum* was a special payment imposed on an entire village, and all the dependent people had to pay according to their means. Probably the tax was originally intended as an equivalent for some rights surrendered by the lord. We find many holdings in the *Glastonbury Rentalia et Custumaria* liable to the *donum*. It was generally a lesser sum than that levied for *gabulum*, which was a rent paid to the lord for customary holdings.

At the period at which William Martin lived, legal procedure was in its experimental and most interesting stage. When

¹ Collinson's *History of Somerset*, ii, 132.

² Dugdale's *Monasticon*, vii, 1021.

³ Collinson's *History of Somerset*, ii, 569.

⁴ Foss's *Judges of England*, i, 240.

the second Henry came to the throne the machinery was extremely inefficient. It was a most difficult thing to secure anything like justice being done either to those who sought the aid of the law, or to those who, unfortunately, had got themselves into trouble. In early days the king was the fountain of justice. He often presided in person to administer the law, he selected his assistants, his justices, and removed them at pleasure.¹

The holding of eyres, however, languished, and so far as the barons were concerned there was no desire to see them revived. But the king set to work with great earnestness of purpose. He secured that eyres should be held once in every two or three years. He chose Robert, Earl of Leicester, as his Justiciar, and Thomas Beket for Chancellor, whilst fresh judges were appointed for his Royal Court. A new order allowed disputed criminal cases, or suits touching the ownership of land to be decided before a king's judge by inquest of twelve sworn neighbours, freeholders of the shire, instead of by ordeal or wager of battle.²

But as it was impossible that Henry II could do everything which was required of him, he appointed Commissioners to render assistance. And William Martin was one of the twelve—including the Abbot of Saint Augustine's, Canterbury—whom Dugdale calls Justices Itinerant, who, in 1170, were sent into the several counties of Kent, Surrey, Middlesex, Berks, Oxford, Buckingham, and Bedford to enquire into the conduct of the sheriffs, bailiffs, and other officers, and of all archbishops, bishops, abbots, priors, earls, barons, vavasors, knights, citizens, burgesses, and their stewards, and officers, as to how much they had exacted since Henry II went to Normandy, and to correct certain other abuses complained of to the Crown.³

¹ *Somerset Pleas*. (Somerset Record Society), xxxiv.

² *Powell's History of England*, 91; An instance of wager of battle is given on pp. 103-4.

³ *Collinson's Hist. of Somerset*, ii, 132.

Six years later, Henry II divided the country into six parts, and appointed eighteen itinerant justices for them,¹ and specially charged them to take the then very new possessory assizes of *mort d'ancestor* and novel disseisin.²

In the time of our Saxon ancestors the right of possession seems only to have been recoverable by writ of entry, which was then usually brought in the County Court. But after the Conquest the procedure was altered, and created much delay amongst litigants. Hence a new remedy was invented by which the king's judge might do justice to the people and determine the possession in the provinces. This was the remedy by assize. The writ of assize is said to have been invented by Glanvil, Chief Justice to Henry II, and, if so, it seems to owe its introduction to the Parliament held at Northampton in the twenty-second year of that prince's reign, when the justices in eyre were appointed to go round the kingdom in order to take these assizes, and the assizes themselves (particularly those of *mort d'ancestor* and novel disseisin) were clearly pointed out and described.³

There were, it is true, justices or commissioners in the time of Stephen,⁴ and Mr. C. E. H. Chadwyck-Healey, in his introduction to *Somersetshire Pleas*, reminds us that Bishop Stubbs⁵ says that the examination of the Great Roll of the Pipe of 31 Henry I shows that during his reign the practice of the eyre was observed both for financial and judicial purposes. But it was left for Henry II to arrange the visits of judges on a business-like basis.⁶

Beyond the further fact that William Martin, in 16 Henry II, acted as a justiciar or baron in the Exchequer—in that year he issued a writ in his name, and that of John Malduit, putting the

¹ *Somerset Pleas* (Somerset Record Society), xxxvii.

² *Ibid.*, xxxviii.

³ Blackstone's *Commentaries*, iii, 184-5.

⁴ Madox's *Hist. Ex.*, i, 146.

⁵ *Select Charters*, 141.

⁶ *Somerset Pleas* (Somerset Record Society), xxxvii.

debt of the honour of Lancaster in charge¹—we can glean nothing further as to the legal career of this man.

William Martin, besides being a lawyer, had, of necessity, to be also a soldier, or, at least, to find fighting material.

These were troublous times in the West of England. The dwellers in South Wales were being supplanted by the invaders, and castle after castle was being built to protect the newly-won territory. The barony of Cemaes, which William Martin held as well as Dartington, was affected in common with the other districts. True, the Martins were in possession, backed with the power of the Crown. But the people were slow to fully acknowledge as their lords those who had wrested the territory from the native princes. There was a feeling of distrust between the conqueror and his successors, and the conquered and their kin, so long as Gruffydd ap Rhys possessed any sway over that part of the kingdom. This state of things continued a portion of the time during which his son, Lord Rhys ap Gruffydd held a position of power.

As in these days, so it was seven hundred years ago—love ruled the court, the camp, the grove, and an alliance between William Martin and a daughter of Lord Rhys, brought about peace for a time. Out of respect for that marriage, and influenced by a mutual convention then entered into with reciprocal advantages, the people of Cemaes also began to be reconciled to their new masters, now acknowledged by the title and with the full power of lord marchers.²

In those days a lord marcher, or marquess, was an officer of considerable importance. No more serious business could be delegated to a man than that of guarding the frontiers and limits of the kingdom, while each continued to be an enemy's country. But as peace prevailed, so did the office of lord marcher sink into abeyance, although it was continued down to 27 Henry VIII, when it was abolished. Long before that date, however, the title was made a mere ensign of honour, as is

¹ Foss's *Judges of England*, i, 240.

² Fenton's *Hist. Tour*, ii, 521.

shown by the fact that Robert Vere, Earl of Oxford, was created Marquess of Dublin by Richard II, in the eighth year of his reign.¹

The Martins enjoyed considerable privileges as lord marchers, and some of them are still exercised, as represented by the fact that the lord of the barony has the unique right of appointing the Mayor of Newport. The lords also enjoyed the distinction of giving the silver harp as a prize at the Eisteddfodau, or meeting of the bards, and in their absence the abbots of Saint Dogmael's presided. As lord marchers the Martins granted a charter of incorporation to the burgesses of Newport.²

The respect which the Welsh prince and the members of his family entertained for William Martin when he married, was not of a permanent character; in fact, the father and sons could not agree amongst themselves. Lord Rhys married Gwenllian, daughter of Madog, son of Maredudd, Prince of Powys.³ They had two sons—Malgon, or Maelgwn, and Gruffydd, and in consequence of the actions of these men William Martin had to pass through a very critical period, and, indeed, fight for his life.

William lived at his Castle of Llanhever, at Nevern, a small village between Newport, in Pembrokeshire, and Cardigan. This castle, which was erected by Martin de Tours, was partially rebuilt by a William Martin in the reign of Edward I. It was "the head and cheefe house of the barony or lordship," and was "a stronge and lardge" building, "moted, garretted, and with towres, and having a lardge courte within the same, which sheweth it to be built by the Normans."⁴ All the castles and forts of the Welshmen in those days were round turrets without any curtilage, and much resembled the round towers found in Ireland. But when the Normans first invaded the fastnesses of Wales, they brought with them armies of their own people, and

¹ Blackstone's *Commentaries*, i, 397.

² *Archæologia Cambrensis*, iii, vi, 6.

³ Geraldus' *Itin. Arch. Baldwin*, ii, 40.

⁴ *Archæologia Cambrensis*, iii, vii, 9.

as they conquered the country so they were forced presently to build strong castles for themselves and provide within the walls accommodation for their garrisons.

This stronghold of the Martins at Newport impressed itself upon the mind of Lord Rhys when he saw acre after acre being taken from the Welsh people by the invader.

He thereupon devised means to possess himself of his son-in-law's dwelling-place. In this he was spurred on by his son, Gruffydd, a cunning and artful man.¹ The castle was attacked by force and William Martin was turned out of his home, notwithstanding that his father-in-law had sworn by the most precious relics that his indemnity and security should be faithfully maintained. Contrary to his word and oath, Lord Rhys, in 1191, gave the castle to his son, Gruffydd. Archbishop Baldwin tells us, with due solemnity, that "the Lord, who by the mouth of his prophet, exclaims 'Vengeance is mine and I will repay,' ordained that the castle should be taken away from the contriver of this wicked plot, Gruffydd, and bestowed upon the man in the world he most hated, his brother, Malgon." And such is the irony of fate that Rhys himself was subsequently imprisoned by his sons in this same castle.² He died on the 28th April, 1197.³

Gruffydd, who obtained recognition of his title, found, however, that his troubles were by no means over. Malgon was in anything but a peaceful frame of mind. He had not forgotten that in 1189 his father threw him into prison, and that his brother, Gruffydd, had handed him over to the custody of William de Braose,⁴ whose daughter, Maud, or Mahalt, de Braose, he had married.

Braose was a West of England man, a descendant of Judhall de Totnesi, who held the borough of Totnes when Domesday was compiled, and had castles both at Totnes and Barnstaple.⁵

¹ *Geraldus' Itin. Arch. Baldwin*, ii, 36.

² *Ibid.*, ii, 38.

³ *Dict. of National Biog.*, xlviii, 90.

C²

⁴ *Annales Cambriae*, 57.

⁵ *Risdon's Note-Book*, 60, 122.

Malgon and Gruffydd fought, and the former obtaining the mastery had his prisoner confined in Corfe Castle. Subsequently Gruffydd was released, and died on the 25th June, 1201, at the Cistercian Abbey of Strata Florida, of which he was a benefactor, and where he had already taken upon himself the monastic habit. He was there buried.¹ His wife died eight years later. She was also buried at Strata Florida, having taken the habit at Llanbadaen Vawr.²

In addition to quarrels with his wife's relatives, William Martin had to take his share in the defence of the country, and was obliged to remain in Wales the greater part of his time "during the sturres betwixt King John and his barrons."³

All who held land of the king were called upon to provide soldiers, arms, and horses by virtue of their holding, and the barons imposed similar services upon their military tenants. But William, like his kinsman, Robert, preferred to pay rather than to serve in the field.⁴ Legal battles were more to his taste than conflicts with the Welsh. His gown, falling below the knees, with embroidered hems, was more comfortable than a hauberk of double mail, covering his body, and his hands and arms encased in gauntlets and sleeves of small plates of iron, laid one over the other like the scales of a fish. Presiding in a legal court was preferable to riding a horse carrying a load of armour, its face, head, and ears covered with an iron mask.

With his possessions scattered over the West of England, it was probably easier to pay than to carry out in the strict sense the terms of his military tenure. At a period when war was almost continuous, money was necessary. The king preferred on occasions to accept cash rather than personal service, and a fine was tendered by the lord, who had a desire to remain at home rather than undergo the hardships and face the perils of fighting.

¹ *Dict. of National Biog.*, xxiii, 310.

² *Risdon's Note-Book*, 132.

³ *Archæologia Cambrensis*, i, iii, 373.

⁴ See page 13.

Besides, the money could be utilised in the payment of hired foreign soldiers. These men would fight so long as the treasury held out, whereas the knights only owed the king forty days' service, and the fyrd (militia) could not be ordered abroad.

The fine was known as scutage, and from this source Henry II drew a considerable sum of money when organising his expedition to Toulouse in support of his claim to that town by right of his wife, from Raymond of Saint Giles.

After a time substitution of the fine became so universal that personal attendance fell quite into disuse, and Henry II made the demand an arbitrary one on his tenants to defray the expenses of his troops. Naturally this created some discontent, and when King John framed his Magna Charta he was obliged to enact that no scutage should be imposed without the consent of Parliament.¹

There is a further instance of William Martin paying scutage. He was called upon to personally attend the king in his expedition to Ireland. But he did not respond, and tendered the fine for all his tenants in the county of Devon, who held of him by military service. In 6 Richard I, upon the collection of the scutage then levied for the king's redemption, he had a special discharge from paying anything at all.²

William Martin held considerable possessions. The family was only introduced into England with William the Conqueror, but so fortunate were the different members in their associations with the Norman kings, that in less than a century they had large estates not only in Wales, but in Somerset, Devonshire, Hampshire, and Wiltshire. In 1186 William is returned under the list of knights' fees as paying 60s. to the Under-Sheriff of Devonshire, and in 1201-2 it is shown that he held five knights' fees in the county.³

It is in the year 1207 we first hear of the Martins' connection with Dorsetshire. And the document in which the name

¹ Blackstone's *Comm.*, ii, 74.

³ Red Book of the Exchequer.

² Dugdale's *Bar.*, i, 729.

is mentioned is a strange one, and somewhat difficult to translate. It recites that William, Martin's son, gives 20 marks for something which William Frankelein, the bailiff, had seized, and it is ordered that lands at Pidel, which were taken into the king's hands, be returned to him, together with the chattels. And the Sheriff is ordered to take security for the 20 marks by holding the said lands and chattels until paid, and which the bailiff is to give up.¹

The mention of bailiff is a proof that this office, still existing, is of great antiquity. These officials were appointed by the sheriffs, their duties including the collection of fines, the summoning of jurors, attending the judges and justices at the assizes and quarter sessions, and the execution of writs. The sheriffs being responsible for the misdemeanors of bailiffs, they were placed under bond for the due execution of their offices, and hence were called bound bailiffs, a name which has since been corrupted into bum-bailiffs.²

Pidel, Pidela, or Piddletown, Dorsetshire, was the home of the Martins for many centuries.

The suggestion has been made that about this time there were two Williams,³ that one died in 1209 and the other in 1216; that the former married Avicia, who had the manor of Pulle assigned her as dower,⁴ and the latter, Engahared, or Angaretta, to whom lands at Langacre, in Devonshire, and other lands in Somerset were given in dower.⁵

It is clear a William Martin married Engahared, for the king granted to Martin, William's son, the guardianship of the lands and inheritance which belonged to Robert de Burcey, who held of the gift of Engahared, the wife of William Martin, into whose guardianship they came as dower, which fell to her together with the free tenements which belonged to her husband. When

¹ *Rot. Fin.*, 9 John, m. 13, 374.

² Blackstone's *Commen.*, i, 345.

³ Risdon's *Note-Book*, 65.

⁴ *Rot. Litt. Claus*, 17 John, p. 1, m. 4, p. 260.

⁵ *Rot. Fin.*, Qy. Henry III, m. 4, 144.

Engahared died, the guardianship fell to the king; and the lands which Robert de Burcey held of William Martin, the latter held of the king by barony.¹

In all probability these lands were in Dorset, for Serlo de Burcey, before Henry I, held Pedere (Pidele?) and Witecline, in that county.²

We know that William Martin, the judge, lord of Cemaes and Dartington, married the daughter of Lord Rhys—her name might have been Avicia—and we think it probable that he was the one who died in 1209, and that at his decease his son, William, was a minor, because in the following year—11 John—he gave 300 marks for the livery of his lands, a considerable sum in those days, and representing large possessions.

Naturally, when he arrived at the age of twenty-one, he desired to be quit of his guardians. But to enable him to do this it was necessary he should pay a fine. In Glanville's day (*temp.* Henry II) the relief for a knight's fee was fixed at 100s.; for socage³ land one year's rent. There was no fixed rule as to baronies and sergeantries—with these the heir made the best bargain he could.⁴ The *Dialogue on the Exchequer*,⁵ written *circa* 1178, says the relief of a knight's fee was 100s., but so far as a barony was concerned that was in the king's discretion.

William Martin paid for his relief just at the period when the barons were complaining amongst other things of the excessive burden imposed in this direction, and Magna Charta, subsequently, dealt with this matter. It was then enacted that the heir of an earl's barony should pay £100; of a baron's barony, £100; of a knight's fee, 100s.⁶ But in 25 Edward I the relief for a baron's barony was reduced to 100 marks.

¹ *Rot. Litt. Claus.*, 10 Henry III, m. 8, 132.

² Risdon's *Note-Book*, 224.

³ Socage, in its most general and extensive signification seems to denote a tenure by any certain and deter-

minate service. Blackstone's *Comment.*, ii, 79.

⁴ *Glanville*, ix, 4.

⁵ *Dial.*, II, x, 24.

⁶ *Mag. Cart.*, ii.

In 1 Henry III it was decided that when the heir arrived at full age, namely twenty-one years, he should have his inheritance without relief or fine.¹ But in Glanville's day the heir, on coming of age, had to purchase delivery of the lands by payment of a fine of half a year's profit on the land, and it was probably under this rule that William was called upon to pay.

This refers to William Martin who, no doubt, died in 1216, and was succeeded by his son, Nicholas. Again the heir was under age, and wardship of his estates in Devonshire, Dorsetshire, and Somerset, passed to Falkes de Breauté.²

Gervase, of Canterbury, describes this man as "a Norman of low birth, whom King John raised."³ Matthew Paris characterises him as very cruel and wicked, and abhorring no crime.⁴ Apparently he was neither a desirable relative nor guardian, and the trust passed from him in 1224 to Henry de Trumbleville,⁵ into whose care also came the dower lands of Engahared, Nicholas' mother, at her death.⁶

The following year, Henry de Trumbleville was sent on the service of the king into Gascony, with Richard, brother of the king, to war against the French, and an order was given to the barons of the Exchequer directing them to grant to him 200 marks, for which he made fine for having the custody of the lands and heirs of William Martin, together with the marriage of the heir.⁷

Nicholas, in course of time, succeeded to his estates. He lived at Blagdon, and was known as Dominus Nicholaus Martyn de Blagdon.⁸ He may well be described as the *bête noire* of historians dealing with the Martin family. The published pedigrees are worthy of Daedalus, and even Ariadne would find

¹ First Charter, Henry III (*temp.* 1216), iii.

² *Rot. Litt. Claus.*, 17 John, m. 10, p. 248.

³ *Gervase of Canterbury*, ii, 113.

⁴ *Matt. Paris' Chronica Majora*, ii, 533.

⁵ *Rot. Fin.*, 8 Henry III, 120.

⁶ *Risdon's Note-Book*, 65.

⁷ *Rot. Litt. Claus.*, 9 Henry III, m. 8, p. 23.

⁸ *Risdon's Note-Book*, 251.

it difficult to guide the student out of the labyrinth of conflicting statements with which one is confronted, and then the enquiring Theseus would stand a good chance of being stranded at some Naxos. Nicholas married Matilda, daughter of Guy de Brien and Eva de Tracy, grand-daughter and heiress of Henry Tracy, lord of Barnstaple,¹ to which family is attached an old rhyme:—

“ The Tracys
Had always the wind in their faces.”

We have made this statement after very careful research and due consideration of all the authorities, many of which are strangely contradictory. We find that the lady is also called Maud,² and that she is described as the daughter of Henry Tracy,³ whilst her husband is also named William.⁴ It has been suggested that Matilda's grandfather, Henry Tracy, was probably father of another Henry Tracy, who was dead before 1273.⁵ It is further remarked that he had one daughter named Eva, who married Guy de Bryane, and died during the lifetime of her father, when her husband seems to have married Sibilla,⁶ apparently a daughter of Walter de Sully,⁷ by whom he had a son and heir, Guy de Bryane. By Eva de Tracy he had a daughter, Matilda de Bryane, who, in 1272, being then thirty-one years of age, was the wife of Galfrid de Camville, and the nearest heir of Henry de Tracy, her grandfather. Of her marriage with Lord Martin (say the Editors of *The Note-Book of Tristram Risdon*) we have found no mention, though it undoubtedly took place, as William Martin succeeded to the barony of Barnstaple as heir of Henry de Tracy.⁸ But in another portion of his *Note-Book*, Risdon says “Henry, Lord Tracy, sonne of Oliver Tracy and Eva, his wief, was Baron of

¹ Risdon's *Note-Book*, 63.

² Collinson's *Hist. of Somerset*, ii, 132.

³ Prince's *Worthies of Devon*, 500.

⁴ *Collectanea et Topographica et Genealogica*, vi, 153.

⁵ Note in Risdon's *Note-Book*, 63, and *Inq. p.m.* 2 Edward I, No. 32.

⁶ *Inq. p.m.* 35 Edward I, No. 32, i, 216.

⁷ Prince makes this statement positively, and adds that Walter de Sulley belonged to Iddesleigh.—*Worthies of Devon*, 130.

⁸ *Abb. Placit.* 7-8 Edw. I, Mich. term, Maj. Record, Rot. 7.

Barnstaple, a man well lerned in the lawes and a judg in the tyme of Henry III. He left a daughter, Matild, and died 2 of Edward I."¹ Lord Henry Tracy was one of the justices who attended a full eyre in Somerset in 40 Henry III, when the judges were directed to hear "all pleas." Tracy's colleagues were Gilbert de Preston, Roger de Wycestr', William de Englefeld, and William de Cobeham. The business was heavy.² He also sat at the assize at Exeter "on Wednesday next before the feast of Saint Gregory, 1254-5,"³ with Henry de Bracton—who was born at Bratton, near Minehead—William de Raleigh, and others.⁴

Hutchins, like Collinson, designates the lady as Maud, and describes her as the daughter of Guy de Brien and Eva, his wife, who was the sole daughter and heiress of Henry de Tracy, Baron of Barnstaple.⁵ It is notable that the heirs male of the de Brien family were always called Guy from the beginning of the reign of Henry II to the latter end of the reign of Richard II, over two hundred years.⁶

Matilda married twice—first, Nicholas Martin, and secondly, Galfrid de Camvil,⁷ who, towards the latter end of the reign of Edward I, was called as a baron into Parliament. The children of this marriage were Sir William Camvil and Matilda, wife of Sir Henry de la Pomeray,⁸ of Berry Pomeroy (known as Byry in Domesday), near Totnes. Ate, the Greek goddess of mischief, must have ruled over this family at this time, because whilst Matilda was, in 1272, recorded as the wife of de Camvil,⁹ yet Nicholas Martin is said not to have died until 1282.¹⁰

Nicholas, like his ancestors, was a considerable landowner. A record of an assize of novel disseisin shows that in the reign

¹ Risdon's *Note-Book*, 136.

² *Somerset Pleas* (Somerset Record Society), 424.

³ S. Gregory's Day is the 12th March.

⁴ *Somerset Pleas* (Somerset Record Society), 426.

⁵ Hutchins' *Hist. of Dorset*, ii, 582.

⁶ Prince's *Worthies of Devon*, 130.

⁷ Also spelt Camvill and Camville.

⁸ Risdon's *Note-Book*, 137.

⁹ *Inq. p.m.* 2 Edw, I, No. 32.

¹⁰ Collinson's *Hist. of Somerset*, ii, 132

of Henry III he was lord of Polenyston, in Charminster,¹ besides being lord of Cemaes,² and of Dartington.³

He also possessed in Somerset the lordships of Blagdon, Hummer, West Lydford, and Lovington. He showed considerable interest in those holding tenure under him, and was particularly energetic in establishing markets and fairs for the benefit of the people. In 1259 he obtained a market for West Lydford, Tuesday being the appointed day, and a fair yearly upon the eve, day, and morrow of Saint Peter ad Vincula.⁴ His Devonshire tenants, too, were similarly served, for as owner of the manor of South Molton he, in 1247, secured a license for a market every week upon the Saturday there, and also for a fair yearly upon the eve and day of the Assumption of the Blessed Virgin, and three days following.⁵

But when "Stout Nicholas FitzMartin," as he has been described, obtained this charter for a fair, it was not because the Church was dedicated on the day of the Assumption. The people of South Molton were apparently more practical than spiritual, and elected August 15th because it was the most fitting, "as combining business with pleasure, as well as keeping a Church Festival."⁶

He also obtained, in 1264, a market for Combe Martin, which place he held of the king by service of ten and a half knights' fees for the whole barony,⁷ on Thursdays, and a fair for four days at Whitsuntide.⁸ It is also stated that this fair was first granted to Nicholas Martin in 1222.⁹ At this time the Martins' estates in Devonshire were under wardship for Nicholas, and the grant was, if then made, probably in favour of his guardians.¹⁰ But whichever date is correct, this seems to dispose of the doubt

¹ Hutchins' *Hist. of Dorset*, ii, 581.

² Fenton's *Hist. Tour*, ii, 531.

³ Risdon's *Note-Book*, 136.

⁴ Dugdale's *Bar.*, i, 729.

⁵ *Ibid.*, i, 729.

⁶ Cock's *Records of South Molton*, 12.

⁷ *Rot. Hundredorum*, 3 Edw. I, 66.

⁸ Worthey's *Devonshire Parishes*, ii, 239.

⁹ Toms' *Notes on Combe Martin*, 6.

¹⁰ See page 24.

as to Combe Martin not belonging to the Martins until after the death of Jeffery Camvil, and is good evidence of the original statement that Combe Martin was one of the maritime places in Devonshire granted by William the Conqueror to Martin de Tours.¹

In 1264 we find Nicholas paying homage to Lord Robert, Abbot of Glastonbury,² and we can picture him "ungirt, uncovered, and holding up his hands both together between those of the lord who sate before him, and there professing that 'he did become his man from that day forth, of life and limb and earthly honour.'" and then receiving a kiss from his lord.³

The name of Nicholas FitzMartin appears in the roll of the landowners of Somerset "of most note" in the time of Edward I.⁴ In 1245 he received a command to assist the Earl of Gloucester and other the baron marchers against the Welsh.⁵ His father-in-law, Guy de Brien, received a similar summons. On another occasion he paid scutage to Hugh de M'iet and John de Aure on six fees and a half which he held in Somerset and Dorset, the fine amounting to £8 13s. 4d.⁶

Nicholas, in 52 Henry III, is credited with being a chief justice in eyre or one of the justices in the county of Somerset.⁷ But we are extremely doubtful as to the correctness of this statement, and can find no corroboration of it. Perhaps he may have sat on a gaol delivery and have acted as a kind of chief or president, for these deliveries were handed over very frequently to knights of the shire.⁸

Nicholas appears to have been particularly unfortunate at the hands of historians. A number of contradictory statements

¹ See page 8.

⁶ *Testa de Nevill*, 166.

² *Rentalia et Custumaria*, (Somerset Record Society), 234.

⁷ *Chartularies of Bath Priory*, part ii, p. 2 (Somer. Rec. Soc., vol. vii).

³ Blackstone's *Commen.*, ii, 53.

⁴ Collinson's *Hist. of Somerset*, i, xxvii.

⁸ Watson's *Pleas of the Crown taken at Bristol. A.D. 1221*, 9.

⁵ Dugdale's *Bar.*, i, 729.

have already been referred to; but there is one more. Sir George Carew alludes to a Nicholaus filius Martini, whom he describes as a Baron of Dartington in the reign of King John, and says, "his coate standeth in Hunnington Church."¹ But we can find no trace of a Nicholas Martin being baron of Dartington at the period mentioned. William Martin was lord of Dartington and of Cemaes in this king's reign, and it was not until Henry III was seated on the throne that Nicholas became possessed of the honours. Sir George Carew gives us the information that the "coate—argent, two barres gules—is borne this day by the Maynwarings, of Cheshire"; and it is a curious fact that in the seventeenth century, a Jane Mainwaring married a Francis Martin, of Newcastle, county Stafford, most likely an offshoot of the Martins who had settled in the West of England.

Difficulties dog the steps of those who would offer a correct history of the Martin family, and particularly does this apply to Nicholas. What children had he? We are told they numbered three—Sir William (who died in his father's lifetime), Colinet and Robert.² Hutchins gives the three—Nicholas, Colinet, and Robert, and adds that the former married and had a daughter, Alice, and as a result of this alliance the Owens, of Pembroke-shire, came into existence.³ Colinet held seven knights' fees in Somerset and Dorsetshire.⁴ Collinson says this man was the father of another Nicholas, who married Eleanor, the daughter of Herbert FitzPeter, by whom he had William⁵ and David,⁶ men of great repute. Robert, the younger son, is an important personage so far as this history is concerned, for it was from him that Adam Martin, who was buried in Crewkerne Church, directly descended, and through him from the intrepid warrior, Martin de Tours, and the great lawyer, William FitzMartin.⁷

¹ Sir Geo. Carew's *Scroll of Arms*,
A.D., 1588.

² Collinson's *Hist. of Somerset*, ii, 132.

³ Hutchins' *Hist. of Dorset*, ii, 528.

⁴ *Testa de Nevill*, 159.

⁵ Collinson's *Hist. of Somerset*, ii, 132.

⁶ Hutchins' *Hist. of Dorset*, ii, 582.

⁷ *Ibid.*, ii, 582.

Hutchins and Collinson corroborate each other's pedigrees closely. These authorities, however, are sadly at variance with some, and on a most important point, as to who was the successor of Nicholas in his property. After exhaustive research, we have arrived at the conclusion that Nicholas had a son, William, who subsequently became his heir, and to this extent the pedigrees published by Hutchins and others are incorrect. There are several incidents which strengthen our decision. Collinson makes his pedigree read that Colinet was father of another Sir Nicholas, who married Eleanor,¹ daughter of Herbert FitzPeter, by whom he had Sir William, who married Eleanor, daughter of Sir William de Mohun, who had a son, William. Hutchins adopts this with the addition that he gives Sir Nicholas, who married Eleanor FitzPeter, another son, David, who became Bishop of Saint David's.² That a father and son should have married ladies of the name of Eleanor is not peculiar, but it is, at the same time, a coincidence which strikes one, especially when dealing with so tangled a skein as the Martin pedigree. And the coincidence is soon followed by doubt as to whether there was really a second Sir Nicholas, and whether two Eleanors captured two members of the Martin family in such rapid sequence. It is probable that some chronicler blundered in the years gone by, and thus misled such men as Collinson and Hutchins, who would fain have given to the public the most correct information. Vivian has fastened the blunder on a herald. In his work, *The Visitations of Devon*, the De Mohun pedigree shows that John Mohun, of Dunster, married Eleanor, daughter of Reinold her second husband.³ But when we turn to the Martyn FitzPierce, and that she took Sir William Martin, Knight, as pedigree⁴ we there find Sir William's wife is stated to be a daughter and co-heir of William Mohun—a strange medley. Tuckett tells us⁵ that John de Mohun, Baron of Dunster, married Eleanor, daughter of Reginald FitzPierse, and that she was re-

¹ Also spelt Alinor, Elinora, Alienora,
 Alianor, Alianora.

² Hutchins' *Hist. of Dorset*, ii, 582.

³ Vivian's *Visit. of Devon*, 565.

⁴ *Ibid.*, 552.

⁵ Tuckett's *Devonshire Pedigrees*, 77.

married to William, Lord Martin, and in the *Visitation of Devonshire* corroboration of this is found.¹ On Risdon being appealed to we find an entry to the effect that Nicholas had a son, William, who also had a son, William, and daughters, Joan and Eleanor. The Editors of the *Note-Book* affirm that Nicholas was the father of another Nicholas, who died during his father's lifetime, he being succeeded by his grandson, William.² Turning to Pole, what do we discover? This great historian says, "William, Lord Martin of Dartington and Camoys, sonne of Nicholas and the fair lady, Matild, was, after the death of Jeffrey Camvill, also Baron of Barnstaple. He took under his wief, Elinor, daughter of Reginald FitzPiers, ye widow of John de Mohun, of Dunster."³ He adds, "This petigree is proved by a formedon⁴ brought against William Chambernon, by James Audelegh, uppon ye presentacion unto the rectory of Ilfercomb, anno 17 of King Edward III. Placita cor. Johe de Stoner et Sociis Justic. dni Regis de Banco, Rot. 42, Devon."⁵

One of the most interesting items bearing on the question is found in Risdon, who says:—"Willelmus Dominus Martin nupsit Elinoram filiam Reginaldi Filii Petri, baronis de Chuton, viduam Domini Johannis Moun per quam habuit exitum Willelmum Elinoram uxorem [Phillipi] de Columbers et Joannam uxorem domini Nicolai de Audelegh de Helegh."⁶

And corroboration of Risdon's statement is found in the following document:—"Johannis de Mohun defunctus. Brevia de assignatione dotis Alianoræ quæ fuit uxor dicti Johannis defuncti, sed nunc uxor Willielmi Martin; et de custodia duarum partium terrarum usque ad legitimam ætatem hæredis ejusdem Johannis de Mohun, una cum extentis factis anno octavo et anno tertio decimo."⁷

¹ *Visit. of Devonshire*, 185 (Harleian Society).

² Risdon's *Note-Book*, 65.

³ Pole's *Desc. of Devon*, 15.

⁴ Action of Formedon was in the nature of a writ of right and was the highest action that tenant in tail

could have. (Blackstone's *Commen.* iii, 191).

⁵ Pole's *Desc. of Devon*, 15.

⁶ Risdon's *Note-Book*, 66.

⁷ *Cal. Genea.*, 14 Edward I, i, 371, vide *Rot. Fin.*, 7 Edward I, m. 10.

A reference has been made to the statement that William Martin married Eleanor, daughter and coheir of Sir William de Mohun.¹ The latter was a younger brother of the Lord Reginald de Mohun, of Dunster, and the lady in question was the first wife of Sir John Carew, the son of Sir Nicholas Baron Carew and Mullesford, who married the sister and heir of Sir John Peverel, of Ermington, near Plymouth, in the reign of King Edward I.² This does not prove she was not previously wife of William, Lord Martin, but there is a good deal of reason for believing she was not, and much can be said in favour of the correctness of Risdon's statement.

Lyson referring to William, the son of William and Matilda, affiliates him as the grandson of Nicholas,³ and we learn from the *Barnstaple Records* (ii, p. 211) that after the death of Maud in 2 Edward II, William Martin, "who was no doubt her grandson," had livery of her property, and he having no heirs his sisters, Eleanor and Joan, became his heirs. Very full enquiry and much searching for documentary evidence has failed to reveal a second Nicholas at about this period. There can be little room for doubt that there were not two Williams who married two Eleanors, but that these were the same people. By marrying a de Mohun, William Martin became connected with that family which held Dunster Castle, and which founded Newenham Abbey, near Axminster, a fragment only of which remains.

David has now to be accounted for. Hutchins is the only great biographer who gives him a place in the Martin pedigree. We shall distinctly prove his connection with the barony of Cemaes, and show that to him was granted the manor of Eglwyserw, one of the five lordships carved out of that barony. But his relationship to William Martin remains at present a doubtful quality. One of the most startling assertions is made by Fenton,⁴ who, speaking of Eglwyserw, says "We find this

¹ See p. 30; Hutchins' *Hist. of Dorset*, ii, 580; *Collect. Topo. et Genea.*, vi, 153; Dugdale's *Bar.*, i, 729; *Peerage*, by G.E.C., v, 266.

² Pole's *Desc. of Devon*, 129; Vivian's *Visitation*, 134.

³ Lyson's *Devonshire*, 100.

⁴ Fenton's *Hist. Tour*, ii, 532.

lordship was granted to David Martin, third son of Sir William Martin, by a daughter of Lord Rhys, Prince of South Wales. He (David) was Bishop of St. David's!" David Martin died in 1327¹; Lord Rhys died in 1197²—one hundred and thirty years apart! *Verbum sat.*

After these debatable points it is refreshing to be able to record that all the authorities agree on one item, and that is that William Martin had at least three children—William, Eleanor, and Joan. As a matter of fact, he had four, his eldest son being named Edward.³

We have now arrived at a time in the history of the Martin family which is of intense interest. England had attained a position which it had never previously reached. The Mediæval period was nearly at its zenith. The Church was richer than ever, the division of classes more marked, the trading and commercial guilds thrived as they had never yet done. And as a writer puts it, all the forms of Mediæval art and literature seemed to have come into full flower, and the law and constitution were certainly in as perfect a state as the circumstances and ideas of the day allowed.

Edward I was on the throne, and proved himself a monarch of strength when dealing with the most delicate matters. Showing wisdom to a degree, he handled the affairs of State with an ability and justice which have placed him in a proud position amongst the rulers of this country. He used no gloved hand when confronted with the Church, which had for years been obtaining possession of valuable properties. It is even asserted she owned three-fourths of the property of the whole kingdom, and threatened to swallow up all its lands.

The king realised that this vast power was not to the benefit of the country, and in 1279 he passed the famous Statute of Mortmain, which arrested the progress for a considerable time of

¹ See p. 71.

² See p. 19.

³ See p. 68.

the Papal avarice. He went further, and six months later the statute, called *De Donis*, which protected reversionary estates and incidentally established a system of entails, was passed, only to be followed, in 1290, with *Quia Emptores*, which, in attempting to retain the profitable incidents of feudal tenure, opened the door to changes which overthrew the very basis of feudalism. Indeed, Edward's general aim has been defined by Bishop Stubbs as the elimination of the principle of tenure from the region of government,¹ whilst Professor Maitland reminds us that to this day, despite all the reforms, we have to look to the measures which Edward I and his Parliament passed, and the interpretation which has been set upon them, for some of the most elementary principles of our land laws.² In fact, the very scheme and model of the administration of common justice between party and party was entirely settled by Edward I, and it has continued nearly the same in all succeeding ages down to modern times.³

A reference to the laws of England at this period is more than justified, because William Martin was another member of this notable family who embraced the profession of the law, and one who rose in it to great eminence. This West-countryman assisted in maintaining that system of justice which had been evolved after so much consideration and amidst so anxious a time as was experienced during the reign of the Angevin kings. He commenced his seriously important legal work soon after the period when, as Matthew Hale asserts, more was done to settle and establish the distributive justice of the kingdom than in all the ages since that time put together.⁴

When Edward I ordered the sheriffs to take up all the gangs of clubmen, who were blackmailing and robbing in the country, he appointed, on April 6th, 1305, William Martin, one of the judges under commission of trailbaston (club-bearing), to try these evil doers; and he was placed at the head of those sent

¹ Traill's *Social England*, ii, 3.

³ Blackstone's *Commentaries*, iv, 427.

² *Ibid.*, ii, 43.

⁴ *Ibid.*, iv, 425.

into Cornwall, Devonshire, Dorsetshire, Herefordshire, Worcestershire, Shropshire, Staffordshire, Wiltshire, and Hampshire.¹ At this time the Sheriff of Devonshire was Thomas de Raleigh, and that of Somerset and Dorsetshire, Matthew de Forneus, who was succeeded by John de Monte Acuto.²

That William Martin tempered justice with mercy is seen in a French poem of the day, which is worth repeating:—

“If I wish to beat my groom because he disobeys,
And give him a good stroke or two to make him mend his ways,
Off he goes and gets a writ, and has me clapped in hold;
Before I can get out again I have to spend my gold.
Forty shillings I must pay before I can get free,
Yea, and twenty shillings more for the Sheriff’s fee,
That he may not put me down in the deepest cell.
Now, my lords! consider, pray! does this law work well?
Judge Martin and Judge Knolles are men that mercy show,
They plead the poor man’s cause and pray that he may be let go;
But Spigornel and Belfaye are men of cruelty,
If I could catch them in my beat, they should not go scot free!
All you that are inclined, I’d have you come to me,
In the merry woods of Fairview where there’s no judge nor plea,
And no pursuit, save of the deer, beneath the shade of green;
For the Common Law’s a risky thing to meddle with, I ween.
These rhymes were in the greenwood made beneath the laurel tree,
Where the merle and nightingale sing, and the sparrow-hawk soars
free;
They were written down on parchment, lest they should slip my mind,
And thrown upon the King’s highway for some good man to find.”³

And found they were, and preserved to show us that a son of the Western Counties earned by his fair and evenhanded justice the respect of those outlaws who did not relish the stern statutes aimed at the clubmen, but, who, nevertheless, were sufficiently honest to give honour where honour was due.

¹ Maitland’s *Memoranda de Parlamento*, A.D. 1305 (Roll Series), xcviij.
D²

² Maitland’s *Mem. de Parl.*, ciii.

³ Powell’s *Hist. of England*, 201.

The Commission of Trailbaston went forth in 1305. Two years later, William Martin received a writ as a Conservator of the Peace. This was an office which had come down from Saxon times with those of the sheriffs, portreeves, and tything-men, and some authorities include coroners.¹ And here arises a matter of great interest and importance to students of history—when was the office of coroner established?

As we have pointed out, Blackstone suggests this officer existed in the time of the Saxons. Modern research, however, has done much to clear up what had for so long been obscure, and the opinions of Coke and Blackstone on this subject are endorsed by few historians. The writers who have ascribed the origin of coroners to the Anglo-Saxon period have built on sandy soil. Coke, for instance, cites the *Mirror*, Bk. 1, Sec. 3. But the *Mirror* is now regarded as unreliable.² Equally unreliable is the charter granted by King Athelstan to the monks of Beverley, and the only line relied on in this rhyming charter to establish the case is "Nan other coroner have the might."³ It is well to remember that the power of the royal judicature and the institution of crown pleas had not become fully developed in Anglo-Saxon times. But as the jurisdiction of the Curia Regis waxed, and that of local public courts waned, the king's peace grew, the list of crown pleas became extended, and new officers were appointed to carry out the administration of justice.

The coroner, seems to us, to be intimately connected with the eyre system. He was an important royal officer, and almost everything he did was for the king's profit. Amongst other things, he looked after the forfeited chattels of felons, treasure trove, wreck and deodands. Eyres themselves also seem to have been more successful from a fiscal than from a judicial standpoint; and the exactions levied caused the populace to believe that the increasing of the Exchequer receipts was its

¹ Blackstone's *Commen.*, iv, 413.

² *Monasticon Anglic.* ii, 130.

³ Maitland's *Mirror of Magistrates* (Selden Society), Intro. lii.

primary, and the repression of crime its secondary object. This is exemplified by the fact that in 1233 the men of Cornwall ran away into the woods on hearing of the approach of the justices, so dreaded were the eyres.¹

Coroners, then, probably grew with itinerant justices, and might have existed from the time of Henry I. But we do not think their functions, even up to the reign of Henry II, could have been very extensive, for Glanville, the great legal authority of the period, never mentions them. Neither are they referred to in the Pipe Rolls, 2-19 Henry II. We know that that king was not partial to powerful sheriffs.² And we also know that throughout the thirteenth century coroners were practically spies on sheriffs; at any rate they acted as checks on them.³ As the power of the sheriffs declined, the power of the coroners increased. It may be then that the 20 cap. of the Articles of 1194 is merely declaratory, referring to an office already in existence.

There is a note of uncertainty struck in Watson's *Pleas of the Crown taken at Bristol, A.D. 1221*, the author of that work stating "the office was a young one, the Articles of the Eyre of 1194 being the first document clearly naming it."⁴ If the writer of these words errs, he errs in the company of Stubbs, Maitland, Bigelow, Stephen, Palgrave, and others. Quite a book might be written as to the relationship of the coroners to the older justiciaries. If the office is identical, then, of course, we are taken much farther back than 1194. The case of Norwich would have to be considered, and this would transport us to the time of Stephen. We should also have to consider the charters of Henry I to London, Henry II to Coventry (1181), Richard I to Colchester (1189), and a strong case could be made out showing that the charter to London of Henry I, and that to Colchester of Richard I, refer to coroners, for the terms are similar to those

¹ Watson's *Pleas of the Crown*, 8.

² Stubbs' *Constitutional History*, i, 163.

³ *Ibid.*, i, 150, 163, 206; and Mait-

land's *Pleas of the Crown for Gloucester*, xxxiii.

⁴ Watson's *Pleas of the Crown*, 41.

in the Articles of 1194 and Magna Charta (1215), c. 240. John's charters to certain boroughs to elect four men, "ad custodiendum placita coronae, etc.," are very similar. But Professor Maitland has pointed out in the *English Historical Review*¹ that from 1194 the coroner was bound "custodire placita coronae," but was not empowered "tenere (or placitare) placita coronae." The "milites custodientes," who clearly were coroners, are mentioned in *Rot. Curia Regis*, i, 50, 51, and the date of the case is November, 1194.

We must offer, as an apology for this digression, the interesting nature of the point raised. Many gaps have to be filled up before we get to the bottom of the matter, and we must wait for steady spade-work on original documents to turn up some new treasure.

We left William Martin addressed as a Conservator of the Peace. This was probably by virtue of his office as a justice, but if so his jurisdiction at that time could not have extended to Devonshire, to which county he was appointed, as it would have done had he been a justice of the Court of King's Bench. The latter office would have made him a general Conservator of the Peace throughout the whole kingdom, and he could have committed all breakers of it, or bound them in recognizances to keep it.² Since the Saxon days, these men were called conservators, wardens, or keepers of the peace, till the statute, 34 Edward III, gave them the power of trying felonies, and then they acquired the more honourable appellation of justices.³

William Martin, as we have shown,⁴ was associated with Thomas de Raleye (or Raleigh), the Sheriff of Devonshire, in dealing with evil-doers. Many persons in the county had been indicted for divers trespasses against the king's peace, and committed to Exeter prison. Their offences had been more or less of a serious character. By the ancient common law before and since the Conquest, all felonies wereailable, till murder

¹ Vol. viii, 758-60.

³ Blackstone's *Commen.*, i, 351.

² Blackstone's *Commen.*, i, 350.

⁴ See p. 35.

was excepted by statute ; so that persons might be admitted to bail before conviction almost in every case.¹

The committing justices had not thought bail desirable in the cases of these persons immured in the prison at Exeter, but an order was issued from Westminster, on the 4th March, 1308, to the Sheriff of Devon, to release his prisoners upon their finding sufficient mainpernors to have them before the king in one month from Easter Day to answer for their premises.²

It is interesting to note that even in those early judicial days considerable means were taken to remove the actual injury of false imprisonment. One was by writ of mainprize, which was the method adopted in the case referred to. This was a writ directed to the sheriff (either, generally, when any man was imprisoned for a bailable offence or bail had been refused, or, specially when the offence or cause of commitment was not properly bailable below) commanding him to take sureties for the prisoner's appearance, commonly called mainpernors, and to set him at large. Mainpernors differed from bail in that a man's bail might imprison or surrender him up before the stipulated day of appearance ; mainpernors could do neither, but were barely sureties for his appearance at the day. Bail were only sureties that the party be answerable for the special matter for which they stipulated ; mainpernors were bound to produce him to answer all charges whatsoever.³

Here is another instance in which William Martin was interested, the mainpernors having failed to produce their prisoner. It is contained in an order made on the 6th October, 4 Edward II, and addressed to the Treasurer and Barons of the Exchequer. This quaint document runs :—

“ Order to acquit Master Thomas de Gorges and his mainpernors of 100 marks that they demand from them for his mainprize by Maurice de Berkeleye, Thomas de Gurnaye, Matthew de Furneaux, Thomas de Wellesleye, Nicholas de

¹ Blackstone's *Commen.*, iv, 298.

³ Blackstone's *Commen.*, iii, 128.

² *Close Rolls*, 1 Edward II, m. 9, p. 22.

Langelond, John Chaumpeneys, Robert Severe, William de Leycestre, Vincent de Stok, William de Odyham, Gilbert Michel and Edmund de Wellesleye, who mainperned to have him in the late King's Court before William Martin and his fellows, justices of oyer and terminer of the late king, in co. Somerset, at Somerton, on Monday before the feast of the Purification in the 34th year of the late king's reign, to answer for certain felonies whereof he was indicted before the said justices, and the said mainpernors were adjudged to prison because they did not produce him then, and they afterwards made fine before the said justices in 100 marks, which fine the late king pardoned the said Master Thomas and them at the request of Eleanor Mautravers, sister of the said Master Thomas, and sent a writ of privy seal of the said pardon to the said justices as appears by the transcript of the same which the king has caused to come before him together with the record."¹

The Statute of Westminster, passed in the 3rd year of the reign of Edward I, took away the power of bailing in treason and in divers instances of felony.²

Amongst the series of cases which came before William Martin and his fellow justices, was a sensational one concerning the alleged poisoning (*intoxicatione*) of a knight by a priest. The knight was Ralph Wake and the accused was Philip Waspray. The priest purged his innocence, and the Sheriffs of Southampton, Somerset, and Dorsetshire were, by an order dated the 7th March, 1308, from Westminster, directed to restore to Waspray his lands in the counties named, which had been delivered to S., Bishop of Salisbury, the diocesan, according to the privilege of the clergy.³

William Martin seems to have ever had a tendency to leniency. We have noticed this trait in his character when he was dealing with the clubmen. And, apparently, he erred in

¹ *Close Rolls*, 4 Edward II, m. 20, p. 285.

³ *Close Rolls*, 2 Edward II, m. 12, p. 93.

² Blackstone's *Commen.*, iv, 298.

this direction on subsequent occasions. So apparent had this become that on the 1st April, 1310, he, together with William le Pruz and the Sheriff of Devon, was served with an order, dated from Westminster, "to execute with all diligence the things contained in the king's letters patent, appointing them to execute the Statute of Winchester, and to keep the peace in county Devon, and certain other articles contained in the said letters patent, so that peril may not arise nor the king's peace be disturbed through their neglect, complaints having been made to the king of their negligence in putting the premises into execution." And the order concludes with the threat that "the king intends to send persons into those parts to enquire how they have carried themselves in the premises."¹

At the close of the same year (16th December, 1310), William Martin was appointed one of the justices of oyer and terminer in the counties of Devon and Cornwall, for the trials of offenders indicted before the Conservators of the Peace, and on the 20th July, 1311, he acted in a commission in a matter of the trespasses of John Coker and John le Peleter against John de Tyntern, the younger, when the proceedings were directed to stay until the next Parliament.² His duties took him to the West again, for in August an order was issued to the Sheriff of Cornwall to release John de Mackeneye Henry, late Vicar of the Church of Saint Newelme, and Philip, his brother, from Launceston gaol, to which they were committed by William de Botereles, Thomas le Ercedekne, and the Sheriff, who were appointed by the king to make inquisitions concerning forestallings and trespasses in that county; and if each of them found sufficient mainpernors to have them before William Martin, John de Foxle, Stephen de Haccumbe, and Robert de Thorpe, whom the king had appointed to hear and determine such trespasses.

Similar orders were made respecting Reginald de Clifford, Parson of the Church of Combe-in-Tynhide, John de Clifford,

¹ *Close Rolls*, 3 Edward II, m. 7,
p. 205.

² *Close Rolls*, 5 Edward II, m. 31d,
p. 430.

Peter de Clifford, and Nicholas de Clifford, in the king's prison at Exeter, and Peter le Hayward, William Blundel, Roger and Thomas, his brothers, Geoffrey de Carsele, and John Scaf, in the king's prison at Lostwythile.¹

William Martin was evidently at fault on one occasion, for an order was issued at Allerton on the 6th April, 1312, directing the release of the king's yeomen, Bertrand Assailit and Berducus de Marsan, to whom the king delivered 1,000 marks for certain affairs of his in Gascony enjoined upon them, and to permit them to pass the sea with the money. William Martin had arrested them at Plymouth and imprisoned them at his castle at Sutton, upon a charge of having stolen the money.² Subsequently an acknowledgment was enrolled by Bernard Hugelini and Fortenerius de Sancto Makario, attorneys of Assailit and Marsan, of the receipt at Sutton from Sir William Martin, by the hands of John de Galmeton, of 129 pieces of tin, arrested at Sutton by William Martin, in a ship called "Le Grace Deu de Fauwy," for which they agreed to hold William harmless against the king, Bertrand and Bernard, or any others claiming the tin. This document was sealed with the seal of Robert, Abbot of Tavistock, and Matthias, Prior of Plympton, because their seals were unknown to many people, and dated at Sutton the Saturday after the Assumption (15th August). The Close Rolls contain a further enrolment of acknowledgment by the same parties, of the receipt by the king's writ from Sir William Martin, by the hands of John de Galmeton, clerk, of a large number of articles of wearing apparel, armour, etc. This is sealed with the "seale of the Commune of the borough of Toteneys," and dated at "Totteneyes," Tuesday, the octave of the Assumption, 6 Edward II.³

In June, 1314, William Martin was one of the justices of oyer and terminer for Devon and Cornwall, for the transaction

¹ *Close Rolls*, 5 Edward II, m. 28, p. 370.

³ *Close Rolls*, 6 Edward II, m. 4d, p. 582.

² *Ibid.*, 5 Edward II, m. 7, p. 417.

of criminal business. And for some time he was kept busy with his legal duties. The month of July saw him acting as one of the justices of gaol delivery in the counties of Devon and Cornwall, and soon after he was once more sitting as a justice of oyer and terminer in the same counties for the trial of offenders. But he was endowed with the further power of enquiring into the conduct of the conservators, sheriffs, etc., who were charged with having demeaned themselves improperly.¹ In 1316, he was a justice of South Wales.²

The discontent of the people in the reign of Edward II is shown in the record that in 1317 William Martin was appointed one of the justices assigned to Devonshire for the purpose of suppressing illegal meetings.³

This brings to an end his record of judicial work so far as it can be gleaned from the authorities quoted.

Astute lawyer though William Martin was, he was not always able to altogether avoid legal difficulties. In 1321, he had some trouble with the Rector of West Lydford, William de Bettevil, as to his mills and lands. The dispute, happily, was settled by a compromise, which was ratified by the bishop on December 8th, 1321, Sir William granting the rector the tithe of his mills, and the rector surrendering two acres of arable land, which his predecessor, Gilbert Malet, had exchanged for the tithe.⁴ The record is addressed to Sir William Martin, Knight, Lord of West Lydford, "filius obedientiæ," and an interesting note says "this flattering title was earned not only by the knight's invoking his bishop's arbitration, but by other kindnesses. The rector was in the bishop's confidential employ, and, perhaps, owed his nomination to the patron's friendliness to the bishop."

And again we find Sir William engaged in a legal dispute, but this time with a higher personage than a rector—no less

¹ Palgrave's *Parl. Writs*, ii, 1150.

⁴ *Register of Bishop Droghensford*

² Foss's *Judges of England*, iii, 128.

(Somerset Record Society), 197.

³ Palgrave's *Parl. Writs*, ii, 1150.

a dignitary than the Bishop of Exeter, Walter de Stapeldon. Sir William had property at Tawstock, Barnstaple. It formerly belonged to his step-father, Galfrid de Camvil, and came into his possession on the death of his mother.

The bishop complained that the knight had made a gut on the episcopal property to convey water from the Taw to his own mill at Tawstock, without the consent of the bishop, or, as was said, of his predecessors.

Again arbitration was adopted as a means of settlement. On the 28th February, 1322-3, the dispute was settled at Exeter, and the terms of the award show that whilst the bishop was naturally anxious that his rights should be preserved, yet the salmon which frequented the river then, as they do to this day, formed a potent factor in the dispute. It was decided that Lord (as he then was) Martin and his heirs were to hold the said attachment (or gut) for ever. But they were called upon to construct within seven months, and at their own cost, two boxes, commonly called hacches, to take salmon and other fish indigenous to Devonshire. These boxes were to be "sufficiently prepared, closed from above, and provided with two locks and two keys, and set in the fittest places for their purpose."

The bishop and his successors were to have a moiety of all fish caught in the boxes in the leat, or under the mill. Each party could fish in the mill-leat if it did not entail the stopping of the mill, but the number of the fish caught were to be divided.

Other arrangements were made, and the order concluded with the quaint expression that "should it happen (which God forbid) that William or his heirs failed to keep this covenant," then the bishop, or his successors, had the right to demolish the attachment or gut, and it was never to be reconstructed against the will of the bishop, or his successors.¹

Besides being an eminent lawyer, William Martin was also a prominent politician. So was his brother, David. William,

¹ *Episcopal Register of Walter de Stapeldon*, 557.

under the title of Dominus de Camesio, signed the baron's letter to Pope Innocent,¹ protesting against his unrighteous demands. He was summoned to Parliament in 1295,² and was in continuous attendance up to his death in 1325, a period of thirty years.

But he was by no means the first representative of this family who had been invested with Parliamentary honours. The lords of Cemaes had occupied seats in Parliament as peers of the realm by tenure, and they continued so to serve by writs of summons in the reigns of Henry III, Edward I, Edward II, and Edward III.³

The Parliament which met at St. Edmund's Bury in 1296 was of the greatest moment to the clergy. Edward had realised the extent to which the Church had become possessed of land and treasure, and, therefore, of power. He was determined this must be checked. The method he employed was by demanding a fifth of the moveables of the clergy. This being refused, the king gave them until the next Parliament in January, 1297, to consider his proposal. The Church was obdurate, and Edward tried coercion, declaring that as they did not support the State they would receive no protection from the State, and he forthwith outlawed them in a body, ordering the sheriffs of England to seize all the lay fees of the clergy, secular, as well as regular, with all their goods and chattels, and retain them till they received further orders from him. He gave directions to all the judges also to do every man justice against the clergy, but to do them justice against no man. Thus a conflict was engendered between the civil and ecclesiastical powers which continued for nearly a century.

Edward's strength lay in his Parliament. Throughout the thirteenth century there had been a great tendency shown to create representative institutions. It was seen in the reign of John. Simon de Montfort followed suit; Edward crowned the work in successive stages, until he determined that

¹ Foss's *Judges of England*, iii, 128.

² *Archæologia Cambrensis*, iii, vi, 64.

³ Dugdale's *Bar.*, i, 129.

burgesses should sit with shire knights, a point on which turns the whole history of the House of Commons and its indestructibility. It was he who insisted on the great estate of the clergy being represented like the barons and the commoners, and all the three estates meeting at the same time and place. Thus the model Parliament of 1295 was the full working out of the maxim of his reign—"That which touches all should be approved by all."¹

We have discovered no record when David Martin was first summoned to take part in national deliberations, but the Martins were associated with this work in 1305, David sitting amongst the prelates as Bishop of Saint David's, and William taking his place with the temporal lords in the "Assembly of the Estates."² This was a most interesting Parliament, and full records concerning it are preserved. It met on the 28th February, after the king had returned from Scotland, and that country was again at peace. Steps were being taken for the settlement of that kingdom, and for the provision of a fixed form of government. But so far as legislation is concerned, this Parliament did nothing of great moment. Amongst the Acts passed, however, was the *Ordinatio de Trailbastons*, by which the king appointed justices to inquire and hear and determine divers felonies and trespasses, and we have noticed how closely William Martin was connected with this tribunal.³

The Martins were also associated with the Parliament which met at Northampton in 1307, the year in which Edward I died, whilst fully resolved to conquer the Scots.

During the king's continued absence from England prosecuting his wars, the Great Seal had to be specially cared for. On the Sunday before the feast of Saint Vincent the Martyr,⁴ 1308, at Dover, the chancellor, in the king's chamber, in the Priory of Saint Martin, delivered to his majesty the

¹ Traill's *Social England*, ii, 5.

² Maitland's *Memoranda de Parlamento*, cx, cxiii.

³ See p. 34.

⁴ St. Vincent's Day, 22nd January.

Great Seal. The king passed it to Sir William de Milton to be carried with him in the wardrobe beyond sea, and the chancellor was handed another seal for use in the absence of Edward II.¹

It was an incident of much importance when this valuable instrument was redelivered into the hands of the Bishop of Chichester, the Chancellor of England.

Sir William Martin was one of those present on the occasion,² the return of the Great Seal being formally witnessed by Peter de Gavaston, Earl of Cornwall, the favourite of the new king. The precious die was enclosed in a white leathern purse or bag, sealed with the privy seal of John de Langton, the Chancellor, and was delivered up by William de Milton, the Comptroller of the Wardrobe. William and David Martin were directed to attend the Coronation of King Edward II at Westminster, on February 25th, 1308,³ when the monarch swore a special oath, "to live and keep the laws and righteous customs which the commonalty of the realm should choose."⁴ But both men lived sufficiently long afterwards to see how this careless, headstrong monarch kept his word, and into what troubles his neglect and trifling plunged him.

The Parliament of 1309 was an eventful one. David Martin, then the Bishop of Saint David's, and Sir William were amongst those who attended when a number of Articles were brought forward prohibiting the wrong doings and illegal tolls taken by the king's officers; the delays and evasions of justice; the new customs upon the foreign merchants, who were not protected by the charter, and the wrong use of the king's right of purveyance. The king agreed to redress these grievances at Stamford, which Parliament the Martins were summoned to attend on the 11th June. And at this assembly, by the persuasion of the Earl of Gloucester, Gaveston was allowed to return after his temporary banishment from the presence of

¹ *Cal. of Close Rolls*, 1 Edward II.

² *Palgrave's Parl. Writs*, ii, 1149.

³ *Palgrave's Parl. Writs*, ii, 1149.

⁴ *Powell's Hist. of England*, 209.

the king, owing to the attitude adopted by him towards the Earls of Hereford, Warenne, Pembroke, Warwick, and Lancaster.

But the king's rule did not please, and Earl Thomas, his majesty's cousin, became aggressive. He was backed up by a strong body of barons, and they attended in full force a Parliament at Westminster, in 1310. Here they chose a board of seven bishops, eight earls, and six barons, of whom the Archbishop Robert was the chief, and William Martin was included, to draw up ordinances "to the honour and welfare of Holy Church, the king, and the people of the realm, according to the oath the king took when he was crowned."

David Martin joined in letters patent that the proceedings of the Lords Ordainers should not prejudice the Royal authority, but on the 20th March, 1310, he was one of the bishops present at the election of two earls to form part of the committee of six Ordainers, by whom the remaining fifteen were chosen. And he and Sir William were elected as two of such fifteen, and sworn in the Painted Chamber.¹

The Ordainers met for business, and the king found it advisable to agree to six Ordinances, namely, the keeping of the charters; the peace and the rights of the Church; the forbidding of himself to make any gifts without the Ordainers' consent; ordering the customs to be paid to English collectors, and making the foreigners to whom they had hitherto been paid give account of their receipts.²

The next year William was summoned to Parliament as a baron, and the writs to attend came in frequent succession, his work as a law-maker and law-administrator being only broken by his being compelled to assume the rôle of a warrior. The times in which he lived were troublous ones, and soldiers were required. The king called on all classes alike to fight, whether on the English coasts, or across the Scottish or Welsh borders,

¹ Palgrave's *Parl. Writs*, ii, 1372, 1149.

² Powell's *Hist. of England*, 210.

or in Gascony, or Flanders. And oft-times William had to leave his parliamentary duties to buckle on his armour and take the field. A special instance of this is shown in the record that in 1314 he was discharged from attendance in Parliament, and an earnest request made to him to repair north with horses and arms, and to muster at Newcastle-upon-Tyne, on the 28th April to march against the Scots.¹

This was by no means his first association with the serious art of war. The country was ringing with the desperate state of affairs which existed in Scotland. Balliol had been made king of that country, and he had done homage to King Edward. But he soon commenced to act suspiciously. Trouble was brewing again for Scotland, and when the nobles were asked to assist the king against Philip of France, Edward met with a refusal. He was now thoroughly roused, and collecting 30,000 foot and 4,000 horse, which numbers were soon augmented, he, with the warlike prelate, Anthony Beck, Bishop of Durham, and with the sacred standards of Saint John of Beverley and of Saint Cuthbert of Durham flying, marched towards the border.

Berwick was attacked, and a scene of great carnage followed, young and old, the helpless and infirm, were not spared, and the streets ran with blood. A further slaughter of the Scots took place at Dunbar, and it was not long before Balliol was doing feudal penance. The king's ambition was, to some extent, satiated. There was peace between the two kingdoms, but it was a peace purchased dearly by the Scottish leaders. Although Edward, on the field of Dunbar, had forced Balliol and his nobles to acknowledge him as their liege lord, there was an undercurrent of unreality about the whole thing, and it only required a spark to set the country aflame again.

Wallace then came on the scene, and soon had a considerable following, and in the struggles with this outlawed squire of Galloway, William Martin was concerned, and was probably present at the battle of Falkirk in 1298, where, notwithstanding

¹ Palgrave's *Parl. Writs*, ii, 1149.

the boasted strength of Wallace, the English cavalry scattered the Scottish archers, and Wallace had to flee into France, where he remained in seclusion for seven years. William Martin again assisted the king in Scotland in 1304, the year of the fall of Stirling.

His first military writ recorded is, however, dated 1308, the year in which Edward II of Carnarvon married Isabel, the French princess. Once more the Scottish people were in rebellion. Edward had forgotten his father's dying wish to bear his bones with him till Scotland was subdued. Instead he was playing about with Gaveston, and allowed the Scots to gain strength, and he soon had something to occupy his time north of the Tweed. Showing considerable activity, he succeeded in driving his foes before him. But he failed to trap the rebel leaders, and the trouble still continued. This was the state of things existing when William Martin was called upon to perform military service in person against the enemy. How long he remained in the field on this occasion we are not told, but he had little respite from pursuing the war. In the following year (1309) he found another notice served upon him to prepare to join an expedition to the north, still another to give his personal services, and a third requiring him to raise 200 foot soldiers from his lordships of Cemaes and Denet, at which places commissioners of array, etc., were empowered to act.¹

The land, of course, at this time was held on a military tenure. The holders were bound to perform a certain number of days' service in the field. The Assize of Arms, enacted 27 Henry II, and, afterwards, the Statute of Winchester, under Edward I, obliged every man, according to his estate and degree, to provide a determinate quantity of such arms as were then in use, in order to keep the peace. Commissions of array were issued, and officers were sent into every county to muster and array (or set in military order) the inhabitants of every district liable to serve.² Edward I regularly paid all bodies of

¹ Palgrave's *Parl. Writs*, ii, 1149.

² Blackstone's *Commentaries*, i, 411.

men called out under this system, but his weak and unbusiness-like son, and even Edward III in his more penniless days, tried to throw the burden on the counties and towns which supplied the men.¹

Matters having quieted down a little, Sir William, before he could provide the 200 men, was told half the number only were required, and instructions were given as to their marching.² On the 18th June, 1310, Sir William's personal services were once more requisitioned, and on the same day both he and David, the bishop, were appealed to to allow 200 foot soldiers to be raised from their lordships of Cemaes and Denet, and once more commissioners of array were appointed to act therein.

The condition of the country at this time was serious, and the second call for such a number of men within a year from the lordships named shows the desperate situation, the confidence reposed in the Martins by the king, and the enthusiastic manner in which they supported this erratic sovereign. Two months after this appeal, a pressing summons was addressed to Sir William to attend the muster at Berwick-upon-Tweed, and on the 8th September the Bishop was ordered to send his service against the Scots, and the muster was called for the same border town.

Still the demand for more soldiers continued, and on the 20th May, 1311, the assent of Lord Martin—he had by this time been summoned to Parliament as a baron—was requested to a levy of one foot soldier which had been solicited from each township. Very soon afterwards the new baron was obliged to lay aside his gown of parti-coloured stuff, his striped silk sash, fur cape and white silk coif, which he wore as a judge, to don his military garb, in response to a request to proceed against the Scots with as many followers as he could raise, the muster taking place at Berwick-upon-Tweed on the 15th July.

For the next two years his political duties took precedence over his military or legal work. The year 1311 was also a

¹ Traill's *Social England*, ii, 56.

² Palgrave's *Parl. Write*, ii, 1149.

busy one for the Bishop. He received three summonses to Parliament. In that year the king returned from the north and met his legislators in London. Then it was Edward agreed to a second set of Ordinances, one of which affirmed that Gaveston, "who had misled the king, turned away his heart from his people, and wrought all kinds of wrong-doing," was to be banished, and to forfeit his estates; certain Italian merchants had to be sent out of England, and Henry of Beaumont was to leave the Council. Severe restrictions were also placed upon the king.

But it was not long before Edward repented of his agreement and resented the treatment meted out to him. Gaveston was banished from the Royal presence, but he soon returned and was re-instated in all his power. Earl Thomas grew desperate, and ere long the king's favourite met his death at Blacklow, and his head, which was cut off by two Welsh soldiers, was borne by a Black Friar to Edward on June 19th, 1312.

During this and the following year the Bishop and Lord Martin were continually being summoned to Parliament, and on the 14th June, 1313, the former was ordered to appear in person before the king's commissioners at London, for the purpose of answering the grant of an aid, etc. The same month, too, and but four days before (10th June, 1313), he and Lord William—the latter in person—were once more called upon to give their services against the Scots, and again the muster was at Berwick-upon-Tweed.

Bruce continued busy in Scotland. Castle after castle was being won from the English garrisons. The king was full of fight, but the Earl of Lancaster and his friends argued that it was necessary Parliament should be summoned before further military steps could be taken. Consequently a Parliament was called to assemble at Westminster on the 21st April, 1314.¹ From

¹ Palgrave's *Parl. Writs*, ii, 1373.

this the Bishop was discharged from attending, as was also Lord William, who was, as a set-off, however, requested to repair with horses and arms, etc., to the muster at Newcastle-upon-Tyne, on the 28th June, to march against the Scots.¹

Any steps which were taken by the Parliament did not change the king's mind as to what he should do with regard to Scotland. Stirling Castle was crying out for relief, and exactly two months from the date the legislators were ordered to Westminster, Edward was facing King Robert and his Scottish spearmen before the walls of that castle. The famous battle of Bannockburn followed on the 24th June, and the result was that the yeomanry of England perished almost to a man by the lances of the Scottish knights.

These continual wars were costing money. The people were being bled to meet the financial demands. Added to these troubles, the peasantry were suffering from a succession of bad seasons, famine, cattle plague, and the lawlessness of the barons and the royal officers.

Wheat rose to forty shillings a quarter; bread was scarce because of the lack of barley, and it was decreed that the malting of grain should be stopped. A maximum price for many articles of food was fixed. The rich suffered with the poor. They had scarce enough to eat themselves, and, consequently, the usual alms of drink and food given to their less fortunate brethren came to an end. Some were driven to live on carrion, hungry robbers prowling about in search of food stopped at nothing, not even murder, and many were starved to death. Even the king, whilst staying at Saint Alban's Abbey, could scarcely get bread for himself and his household. The harvest of 1315 was greatly damaged by rain, and misery and sickness were rampant. People were driven to eat dog flesh, horse flesh, and, it is whispered, children.²

¹ Palgrave's *Parl. Writs.*, ii, 1149.

² Traill's *Social England*, ii, 161.

A poet of the time wrote :—

“ To crush down all the poorer sort in misery and care,
The cattle all died suddenly, and left the land all bare,
And when this plague was stinted of beasts that bear a horn,
Then God sent down upon the earth a second dearth of corn.
One's heart must sure for pity bleed to hear the doleful cry
That went up from the poor man's lips, ‘ For hunger I must die ! ’ ”¹

The fertile West of England did not escape this terrible visitation, and the famine was so serious that we are told “ the prisoners in the prison of Bristol did pluck and beat those who were newly brought in and devoured them half alive.”²

The lawlessness of the country is shown by the fact that in May, 1315, Bishop Martin found it necessary to obtain a special protection for certain articles of victual conveyed to London for the use of himself and his family.³

It was the serious condition of the people which caused Edward to appeal to his friends for monetary aid. And David Martin, touched with compassion, no doubt particularly for those persons associated with the Martin estates in the West, was one of those who came to the king's assistance, for he advanced 120 marks to his Royal master, for which the Treasurer of the Exchequer and others became sureties.⁴

Although able to lend money to the king, the Bishop found it difficult to make prompt payment of his proportion of the tenth, and in September, 1315, a request was made to him to expedite a settlement. It is very suggestive of the condition of the country's treasury that at the same time the Bishop was being pressed, an appeal was made to him to allow further time for the repayment of his advances to the king.

Although the records only show one advance of 120 marks, the use of the plural suggests that David befriended his majesty

¹ Powell's *Hist. of England*, 214.

³ Palgrave's *Parl. Writs*, ii,

² “MS. Annals of Bristol” in Corry's
Hist. of Bristol, i, 245.

1373.

⁴ *Ibid.*

on more than one occasion. His claims were some time in being met, and the appeal for further license in September was repeated two months later. The Bishop was lenient, but on the 21st March, 1316, he considered it desirable to take further security for the repayment of the aforesaid 120 marks.¹

With this entry the records of David's money-lending transactions end, and it is left to the imagination whether this impecunious and utterly incapable ruler ever came to a settlement with David Martin, the Bishop of Saint David's. Certain it is that the king's monetary difficulties did not disappear with the generosity of David Martin and others, for the Bishop was requested to assent to the grant of a subsidy in the Convocation appointed to be held in London on the 10th October, 1316, and to induce the clergy of his diocese to consent thereto.²

King Robert of Scotland, after Bannockburn, held the whole of Scotland with the exception of Berwick. And his appearance close to the border accounts for further writs served upon the brothers Martin. During 1315 Lord Martin performed his military service in Scotland, and obtained a writ of exoneration. In the following year he was again sent to the north, and on the 8th July the Bishop was ordered to see that his troops mustered at Newcastle, not Berwick, as formerly.

Writs continued to be served upon both these men at a rapid rate, Lord William receiving three in 1316 and two in 1317, whilst the Bishop was similarly spurred on to find men to do battle for the king. The fact was, Edward had brought England to a desperate state, and both internally and externally there were foes ready to take advantage of his weakness.

The year 1317 was one of intrigue. The Earl of Lancaster was now in power; but his rule was a miserable failure,

¹ Palgrave's *Parl. Writs*, ii, 1373.

² Palgrave's *Parl. Writs*, ii, 1373.

and he was at his wits' end to grapple with the attacks which were directed against him. Civil war threatened, and Lancaster refusing to obey the command of the king to attend a Council meeting at Nottingham, on the 21st July, a summons was issued to muster at Newcastle on the morrow of Saint Lawrence (August 11th), and the king and the Earl watched one another with their followers ready to strike a blow.¹

The affairs in Ireland were but a replica of those in the North of England. Robert Bruce, who had been assisting his brother in Ireland, found it necessary to leave Hibernia, and hurry home to look after his interests at Berwick.

A special Council was called at Westminster, on the 30th December, preparatory to a meeting of Parliament, and to this Lord William and David Martin were summoned. It was arranged that the Parliament should sit at Lincoln on the 4th January, 1318, but it was prorogued until the 12th March, and further prorogued until the 12th June. Four days before the latter date the Bishop received the news that the assembly of legislators was revoked in consequence of the invasion of the Scots, and two days later came the writ calling upon him to provide the services of troops, and that the muster was to take place at York.²

This order was doubtless the result of the King of the Scots, after making himself master of Berwick, marching through Northumberland into Yorkshire, where he burnt Northallerton, Boroughbridge, Scarborough, and Skipton.

About this time a second peace was made between Earl Thomas and the king, by which the Ordinances were agreed to, and a Standing Council of eight bishops, four earls, four barons, and a knight named. David Martin had the honour of being appointed one of the extra council to be constantly about the

¹ *Chron. of Reigns of Edward I and Edward II*, ii, xxviii.

² *Palgrave's Parl. Writs*, ii, 1373.

king, pursuant to this treaty, which imposed certain restrictions on Edward.

The years 1319 and 1320 were, apparently, passed by the Bishop in greater quietness than had been his lot for some time. In the latter year he was summoned to the Parliament at York, and Lord Martin was likewise called upon to attend the legislative chamber in this and the following year.

Both men were more generally engaged in 1321. Trouble had arisen as an outcome of the close friendship existing between the king and the son of Hugh Despenser—a fatal attachment which involved the remainder of Edward's reign in perpetual strife and trouble. There was a ferment throughout the country, and the Bishop of Saint David's was directed to employ ecclesiastical censures for the purpose of silencing persons spreading slanderous reports concerning his Royal master.¹

The Earl of Lancaster's power increased as Edward's prestige declined after the loss of Bannockburn. The king's ministers were distasteful to the barons. Lancaster was now the ruler of the kingdom, and he was, it would seem, anxious to enlist the support of such a powerful man as Lord William Martin, for on the 12th November, 1321, the lord of Cemaes was ordered to abstain from attending a meeting of the "Good Peers," which, it was alleged, had been illegally called to be held at Doncaster, on the 29th November. Lancaster proved a failure, and a third party was formed by the Earl of Pembroke. Matters did not, however, improve, and the war with the Scots continued.

Then trouble arose on the Welsh border between Roger Mortimer, the grandson of Edward I's friend, and the son of Hugh Despenser. Hereford and Lancaster took Lord Mortimer's part, and when the Parliament met in 1321, to which Lord William Martin was summoned, the Despensers, father and son, were exiled for abusing their influence over

¹ Palgrave's *Parl. Writs*, ii, 1373.

Edward. But still the fire burned, and the king went into Wales to punish the Earl of Hereford.

Lord William was appointed a commissioner empowered to assemble the forces of the counties of Cornwall and Devon on the 30th November, 1321, and so serious did matters look that less than three months later he was enjoined to raise as many men-at-arms and foot soldiers as he could, and to hold himself in readiness to march with them to the king when summoned.¹ This writ is dated the 6th February.

At the same time a writ was sent to the Bishop of Saint David's, instructing him to offer prayers for the success of the sovereign,² as well as to raise men-at-arms to do battle against the Scots.

Eight days later the order came to Lord William to appear with his forces at the muster at Coventry, on the 28th February, for the purpose of marching against the rebels or adherents of the Earl of Lancaster, and this was followed, two days afterwards, by a similar writ to David, but with the difference that his personal services were not requisitioned.

The Mortimers had been beaten by Edward, and Lancaster became alarmed. He made frantic efforts to surround himself with troops. But in the meantime the king had won all the strongholds of the Midlands. An advance was called. First came a body of hobilers, or light cavalry, with the archers leading the way; next the billmen, with such as carried lances, battle-axes and mallets; then followed the men-at-arms upon their palfreys, and their pages leading their chargers; while in rear of all came the baggage and military engines, under escort of a second corps of hobilers and archers.³

Chaucer draws the following picture of an archer:—

¹ Palgrave's *Parl. Writs*, ii, 1150.

² *Ibid.*, ii, 1373.

³ Gleig's *Lives of British Military Commanders*, i, 22.

" And he was cladde in cote and hode of grene,
 A shefe of peacock arwes¹ bright and kene
 Under his belt he bare ful thriftily.
 Wel coude he dresse his takel² yemanly;
 His arwes drouped not with fetheres lowe,
 And in his hond he bare a mighty bowe.
 A not-hed³ hadde he, with a broune visage;
 Of woodcraft coude he wel alle the usage.
 Upon his arme he bare a gaie bracer,
 And by his side a swerd and a bokeler,
 And on that other side a gaie daggere,
 Harneised wel, and sharpe as point of spere.
 A Cristofre⁴ on his brest of silver shene,
 An horne he bare, the baudrik was of grene."⁵

Sixteen days after the call to arms at Coventry, which was no doubt attended by Lord William Martin, Earl Thomas of Lancaster and the Earl of Hereford met the king's forces at Borough Bridge. The Royalists won the day, Hereford was killed, Lancaster was taken prisoner by the general of the king's army, Sir Andrew Barclay, and after suffering the greatest indignities was beheaded, and eight barons and thirty knights and squires met the same fate.

The next writs recorded are two summoning Lord William Martin and David to the Parliament at York. Here momentous business was transacted, the old Articles of the Ordinance were confirmed, and it was solemnly laid down that "all matters to be established for the estate of our lord the king, and his heirs, the realm, and people, shall be treated, granted, and established in Parliament by our lord the king, and by the consent of the clergy, earls, and barons, and the commonalty of the realm."⁶

¹ Arrows with peacock feathers.

² Arrow.

³ Round, probably from being cropped.

⁴ A brooch with Sir Christopher's image is suggested, but Tyrwhitt says

by the Statute 37 Edward III yeomen are forbidden to wear any ornaments of gold or silver.

⁵ Chaucer's Prologue to the *Canterbury Tales*.

⁶ Powell's *Hist. of England*, 215.

The king, however, allowed the Despensers to rule for him. Edward neglected to take advantage of the opportunities which occurred from time to time, and the people soon began to treat the Earl of Lancaster as a martyr and a saint. On the 25th March and the 11th May, 1322, the Bishop of Saint David's received further summonses for troops. On the 27th November of the same year, Lord William was commanded to assemble his men on receiving orders. These arrived on the 10th December, the rendezvous being York, and William was himself to head his levy.

Another order to raise men, and to appear on the 22nd May, at York, reached Lord William Martin, and he was instructed to provide pack saddles for the use of the army in case it should be expedient to advance without the waggon train. The Bishop, too, had been called upon for more troops, but on the 2nd June, 1323, both Lord William and the Bishop were discharged—the former from attendance at the musters, and the latter from sending his service.¹

Then trouble soon broke out elsewhere. Charles the Fair was desirous that Edward should do homage for his duchy, but the Despensers argued with themselves that in the king's absence they would be in greater danger, and persuaded Edward to hand over his earldom of Ponthieu and duchy of Aquitaine to his little son, who was to do homage in his stead.

Queen Isabel went to France with her son and laid a deep plan for invading England, showing the greatest hostility to her royal husband. Her favourite, Lord Mortimer, lent his assistance, and with the aid of others Isabel fitted out an expedition, sailed for England, and landed at Orwell, on the 24th September, 1326.

Edward was not idle whilst these things were progressing, for early in the proceedings Lord William Martin was appointed one of the commissioners to defend the sea-shores in the counties of Cornwall and Devon. This writ is dated

¹ Palgrave's *Parl. Writs*, ii, 1151, 1374.

the 23rd July, 1324, and the following month a *dedimus* was issued empowering the Bishop of Exeter to swear him to the due execution of his office as keeper of the sea-shores, etc. The same month the Bishop of Saint David's was requisitioned to raise forces to perform military service for the defence of the Duchy of Aquitaine, etc., "when the same shall be required," and to induce the clergy, secular, as well as regular, of his diocese, to do the same.¹ Lord William, too, received a like summons, again with the exception that his personal services were required.

The Bishop seemed to be having more than his share of the work of raising troops, for only four months later he was again called upon to send his services to Gascony, and the muster was fixed to take place at Portsmouth on the 17th March, 1325.

The 1st of May of that year saw a further message of a similar character.² The affairs of State were in a desperate condition. On the 3rd March, 1325, David Martin was one of the "magnates" summoned to attend a "Great Council" at Winchester. The place of meeting was afterwards altered to Westminster, and there prorogued. Next he was commanded to prepare himself and his retainers for the defence of the Church and kingdom. The writ is dated the 12th May, 1326.

A Parliament was summoned at Westminster in December of that year, and the Bishop of Saint David's received the writ to attend. Adam of Orleton, Bishop of Hereford, put the question blandly—would they be ruled by the king or his son? The end was approaching. Charges of neglect, bad generalship, injury to the Church, and many other things were made against Edward, and twenty-four commoners were sent to Kenilworth to renounce the homage of fealty they had sworn to him. He, thereupon, agreed to give up his crown to his son, and to become a private person again without any manner of royal dignity. Eight months later the king met his death in Berkeley Castle.

¹ Palgrave's *Parl. Writs*, ii, 1374.

² Palgrave's *Parl. Writs*, ii, 1374.

Thus came to an end a monarch who is described by the Monk of Malmesbury as "an amateur farmer, a breeder of horses, a patron of playwrights, a contriver of masques, a smatterer in mechanical arts." He was, it may be, an adept in rowing; he could dig a pit or thatch a barn; somewhat varied and inconsistent accomplishments, but all testifying to the skilful hand rather than the thoughtful head. He had a certain skill in the arts and the tournament, but no credit for the serious pursuits of arms; a love of the pomp and expense of military show, but no taste for discipline or manœuvre, or the sustained conception of a siege or campaign.¹

We must now deal with Lord William Martin as an owner of land. And as in the days in which he lived acres meant authority, then, indeed, the West of England possessed in this representative of the Martin family one who must have held well nigh regal sway. With him the Martins touched the zenith of their power, for it was not long after Lord William's death that heirs male failed, and their great possessions were scattered.

It has been already shown that William Martin was lord of Cemaes, lord of Dartington, and that on the death of his mother he became lord of Barnstaple, as the heir of Henry de Tracy,² who died in 1272.³ And doing homage he had livery of his lands in Devonshire, and also of the manors of Lidesford (Lydford) and Blakenden (Blagdon), in Somerset, on the death of Nicholas, in 1282.⁴ Four years later he paid £100 for his relief.⁵

Dealing with his Somerset estates first we find that in 1316 he was certified as lord of Lovington, Blagdon, and Minehead, and joint lord of Lydford.

This, however, represents but a tithe of the power which he was able to wield in West Somerset, especially owing to his great stake in that part of the county.

¹ *Chron. of Reigns of Edward I and Edward II*, ii, xlvi.

² *Abb. Placitorum*, 7-8 Edward I, 197.

³ Dugdale's *Bar.*, i, 729.

⁴ See p. 26.

⁵ Dugdale's *Bar.*, i, 729.

A most interesting connection with Compton Martin is recorded. The manor was long held by the family of Wake, and came into the possession of one John Wake in a peculiar manner in the reign of Edward II.¹ Alice, the wife of Ralph de Wake, and mother of John, who held this manor in her demesne as of fee of William Martin, had been found guilty of felony in contriving the death of Ralph Wake, her husband, for which she was tried and condemned to be burnt. Whereupon the hereditaments became forfeited. Sir William Martin, as capital lord, seized the manor and advowson of Compton, entered on it as his escheat, and continued the seizin for seven years till John Wake ejected him, but by what title is not known.² It is on record that about 1285-6 Johanna Wake held the manor of Compton Martin in frank-marriage, of William Martin, and John Wake was certainly in possession in 1315-6.³

William Martin held also half a knight's fee in Moreton, a tithing of Compton Martin,⁴ and half a knight's fee in Bykefold, which is identified as Bigfield, or Bickfield, one mile north of Compton Martin, an ancient, moated mansion, which Roger de Bykefold possessed.⁵ William was the patron of Compton Martin in 1317.⁶

The district of West Lydford was long in the possession of the Martins, and of this they held the lordship. Two fairs took place here, one on Holy Thursday and the other on the twelfth day of August. The last was obtained of King Henry III in the forty-fourth year of his reign, by William Martin, then lord of that place, who also procured under the same charter a market to be held there on the Tuesday in every week.⁷

Nicholas Martin's historical misfortune still follows him, for if Collinson is correct as to the date, it was Nicholas who should

¹ Collinson's *Hist. of Somerset*, ii, 132, says Edward III, but clearly this is incorrect.

² *Ibid.*, ii, 132.

³ *Kirby's Quest* (Somerset Record Society), 39, 70.

⁴ Collinson's *Hist. of Somerset*, ii, 82.

⁵ *Ibid.*, ii, 133.

⁶ *Register of Bishop Droghensford* (Somerset Record Society), 20.

⁷ Collinson's *Hist. of Somerset*, ii, 82, and Cart. 44 Henry III.

be credited with obtaining the fairs and the market for Lydford West and not Lord William, but the inhabitants have the satisfaction of knowing that at least it was a Martin who secured them those rights which their ancestors, in part at all events, have permitted to lapse.

In 22 Edward I William Martin procured a charter of free warren in all his lands in this place.¹ And this act on his part throws considerable light upon the game laws as they at present exist. Free warren was a franchise erected for the preservation or custody of beasts and fowls of warren, which being *feræ naturæ* everyone had a natural right to kill as he could. The beasts were then recognized as hares, conies, and roes; fowls were either campistres, as partridges, rails, and quails; or sylvestres, as woodcocks and pheasants; or aquatiles, as mallards and herons.

Upon the introduction of the forest laws at the Norman Conquest, these animals, being looked upon as royal game, and the sole property of our savage monarchs, this free warren was invented to protect them by giving the grantee a sole and exclusive power of killing such game so far as his warren extended, on condition of his preventing other persons.²

In the same year, William also obtained license in a similar manner in all his lordships of Dartington, Combe Martin, Holne, Kingston, Langacre, Beare, Merwood (Marwood), and Raddon, in Devonshire.³ Lord William exercised his right as patron of the living of West Lydford in 1310, 1312, and 1318.⁴

The Martins further held Aldwick, near Blagdon, Nemmet (Nempnett Thrubwell), ten or twelve miles south-west of Bristol, whilst William is credited with a fourth part of a knight's fee in Bychemestok (Beauchamp Stoke), which Peter de Sancta Cruce formerly held in demesne.⁵

Then William and his wife held Kilveton, which was in the barony of Dunstorre (Dunster) from the king, but it is not said

¹ Collinson's *Hist. of Somerset*, ii, 83.

⁴ Weaver's *Somerset Incumbents*, 133.

² Blackstone's *Comm.*, ii, 38.

⁵ Collinson's *Hist. of Somerset*, ii, 319.

³ Dugdale's *Bar.*, i, 729.

upon what service,¹ Muneheved (Minehead), Lovington, East Lydford, Blakedon (Blagdon),² and Christon³ and Uphill⁴ acknowledged him as lord.

William's Devonshire estates were most extensive, including a large portion of the northern and southern sections of the county. We have shown how he became possessed of the manor of Barnstaple, and of other lands of which his mother died seised in 1309.⁵

It is said the twenty-one parishes of the Hundred of Braunton also came to him, but certain it is that through the Tracys he received Nymet Tracey (Bow), Martinshoe, Bovey, Holsworthy, Fremington, Tawstock, and Ilfracombe. By purchase from John Raleigh, Lord Martin became possessed of the manors of Warkleigh, Satterleigh, with the advowsons of the churches there, with all his rents in Sidbury, Wootton, Northbray, Southbray, Blackpole, Barnstaple, South Molton, Bremelrigge, Blackwell, Haddircomb, Hill, Calcots, and Honington.⁶

In 1316 he was certified as lord, or joint lord, of the following hundreds, townships, etc., in Devonshire:—⁷

Lord of Nymet Tracey—now known as Bow—and Nymet Broad; Bordeville, Nymet Nichol and Crick Burnel; Holsworthy and Bridgerule; Bradworthy.

Hundred of Fremington: Fremington, Tawstock, and Hele or Templands (Templeton).

Borough of Barnstaple.

Ilfracombe and West Haggington, Combe Martin, Kentisberry, Down Philip, Merwood, and Whitfield.

Bittadon, Goodleigh, and Beare.

Hundred and Borough of South Molton.

¹ Kirby's *Quest* (Somerset Record Society), 5.

² *Ibid.*, 56, 76.

³ Collinson's *Hist. of Somerset*, iii, 578.

⁴ Collinson's *Hist. of Somerset*, iii, 609.

⁵ Dugdale's *Bar.*, i, 729.

⁶ Pole's *Desc. of Devonshire*, 422.

⁷ Palgrave's *Parl. Writs*, ii, 1150.

South Bovey, or Bovey Tracey, and Gappah.

Babcombe and Ideford.

Holne Turbeville and Loddiswell.

Dartington and Rattery.

Ugborough and East Harford.

Ludbrooke and Bradford.

Joint Lord of:—

Borough of Torrington.

Nympton Saint George and Satterley.

Newton Rocomb, Northaller, Shafridge and Inwock.

He also held the fees of Beare and Wolrington at his death.¹

Just previous to that event he had some trouble with these estates, and a pardon was granted to Nicholas Martin, son of Robert Martin, a close relative, for acquiring in fee tail from him two messuages, a mill, lands, and rent in Beare and Wolrington held in chief, and for entering thereon without license, and restitution to him of the same; and the fine recorded is ten marks.² A protection with clause *nolumus* for one year was granted to Nicholas.

Beare is probably identical with Beere, in the parish of Broadclyst. Lord William Martin inherited this for some time, and it afterwards passed to William Hastings. In after years the Lady Margaret Martin gave this land unto John Bamfield,³ no doubt an ancestor of the present Lord Poltimore, of Poltimore, who owns much land in that neighbourhood.

Like his father, William Martin was energetic in providing trading centres,⁴ and in 1294 he obtained a license for a fair at his manor of Marwood, in Devonshire,⁵ to be held yearly on the eve, day and morrow of Saint Michael.⁶

His manor of South Molton was held under the Earl of Gloucester by the peculiar service of providing a man with a

¹ *Cal. Inq. ad quod damnum*, i, 330.

⁵ Foss's *Judges of England*, iii, 436.

² *Pat. Rolls*, 1 Edward III, m. 5, 64.

⁶ Dugdale's *Bar.*, i, 729; St.

³ Pole's *Desc. of Devonshire*, 171.

Michael's Day, 29th September.

⁴ See p. 27.

bow and three arrows to attend the Earl when he went "to hunt in the vicinity."¹ The words quoted from the book of an authority are not correct. They should read "when he went to Gower to hunt." And Gower is not "in the vicinity."

The manor of South Molton was held by Nicholas Fitz Martin, who obtained it and the Hundred [of South Molton] of Gilbert Turbeville in exchange for Tregeny, in county Glamorgan.² Search amongst the various tithe commutation maps and books of reference, voters' qualifications, etc., for the South Molton district fails to reveal any woods or farms called "Gower." On the other hand, William Martin owned property in Glamorganshire, and there is little doubt the Gower referred to is either Gower (a small place) or Gowerton, situate in the Gower peninsula, which lies at the south-west end of county Glamorgan.

He was also the patron of several livings, having the right of presentation to the Chantries by Barnstaple Bridge, Combe Martin, Dartington, Holne, Holsworthy, Marwood, the Chantry at Morthoe, Newton Tracey, the Raleigh Chantry in Pilton Church, Satterleigh, South Molton, Tawstock, Trentishoe, and Upton Hellions, Fremington, Barnstaple, Bittadon, and Kentisbury.

In those days there was a Chantry chapel near Barnstaple Bridge, as is shown by the following interesting record, which says:—

"Perpetua Cantaria facienda in Capella Beati Thome, juxta pontem Barnastapolie, pro animabus Domini Henrici Traci, progenitorum et successorum suorum et pro animabus omnium Fidelium defunctorum."

Sir William presented Sir Richard de Scottescombe, priest of the Chantry chapel, *juxta pontem* at Barnstaple, he being instituted on the 19th December, 1319. Some few years before

¹ Friend's *Bygone Devonshire*, 114.
F²

² Cock's *Records of South Molton*, 4.

—in 1312—discord arose as to the right of presentation between Sir William and the Prior and Monks of the Blessed Mary Magdalene, of Barnstaple, but Sir William apparently succeeded in his claim.¹

That William Martin made provision for his wife in the event of his demise is shown by a charter, dated January 2nd, 1283, in which he granted to his lady for life the manors of Kingerton, Combe Martin, Langacre, Moleton, in Devonshire, and Lydford, in Somerset, at a rent of £200 a year, with the stipulation that if he died first, she was to pay one penny a year only for the same to his heirs.²

He had four children. In a marriage contract, dated 1297, Edward is designated as his son and heir,³ and he is said to have died during his father's lifetime. Eleanor is also mentioned in that document as a daughter.⁴ She was, according to one authority, married twice.⁵ The accuracy of this statement is doubtful. In 25 Edward I a marriage was arranged between William de Hastings, son and heir of John de Hastings, lord of Abergavenny, and Alienora, elder daughter of William Martin, lord of Cemaes, and of Edward, son and heir of William Martin, and Joan, elder daughter of John de Hastings.⁶

There is some doubt expressed as to whether Eleanor married William de Hastings.⁷ But she is described in 1326 as the relict of William Hastings,⁸ and that opinion has been corroborated with the addition that there was no issue of the marriage.⁹ At all events she became the wife of Philip Columbers, who died 1342.¹⁰ Eleanor died in 16 Edward III,¹¹ or 17 Edward III, and was buried by the side

¹ *Register of Bishop Stapeldon*, 188.

² *Toms' Notes on Combe Martin*, 13.

³ *Cal. Rot. Pat.*, 25 Edw. I, m. 2, p. 2, 58.

⁴ *Ibid.*

⁵ *Collec. Topog. et Genea.*, vi, 153.

⁶ *Cal. Rot. Pat.*, 25 Edward I, m. 2, p. 2, 58.

⁷ *Risdon's Note Book*, 66.

⁸ *Peerage*, by G.E.C., v, 266.

⁹ *Collec. Topog. et Genea.*, vi, 153.

¹⁰ *Peerage*, by G. E. C., v, 266.

¹¹ *Collec. Topog. et Genea.*, vi, 153.

of Philip Columbers,¹ in the Priory Church of Barnstaple, in which they had founded a chantry, value forty shillings, the duty of the priest being to say daily mass for the repose of the souls of Edward III, his ancestors, and for the souls of Philip and Eleanor.²

Columbers was evidently of a Somerset family. A Phillipus Columbers de Stowy was a knight of the county in the reign of Henry III; a John Columbers de Stowy held a similar position in the time of Edward I, and a Phillipus in the reigns of Edward II and Edward III, the latter being the husband of Eleanor Martin. He held the manor of Nether Stowey and Perriton, with the hamlet of Donhead, in 16 Edward III,³ and he was the holder of seven knights' fees and a half in the counties of Somerset and Dorset.⁴

That he exercised the duties of a justice of the peace for the county of Somerset is shown by the fact that on the 14th September, 1333 (6 Edward III) a commission was issued to him and others on a complaint that a house was broken open at Muchelnye, and deeds and writings taken from a chest.⁵

Joan, the younger of the two daughters of Lord William Martin, married first Lord Nicholas de Audley,⁶ of Helegh, who died 10 Edward II.⁷ She afterwards was the wife of Henry de Lacy, Earl of Lincoln.⁸ Joan and Nicholas had a son, James de Audeley. pa 1

We have referred at some length to the life of William Martin, because, of the many illustrious members which this family produced, none did more effective work both for king and country. His position as a lawyer, his extended military services, his vast landed possessions, placed him in the front rank of the prominent men during the reigns of Edward I and

¹ Collinson's *Hist. of Somerset*, iii, 551.

² Toms' *Notes on Combe Martin*, 21.

³ Risdon's *Note-Book*, 308.

⁴ *Testa de Nevill*, 159.

⁵ *Pat. Rolls*, 6 Edward III, m. 11d, 354.

⁶ Dugdale says, "this is a vulgar

way of spelling Aldithley." This name also appears as Audley, Audely, Audleigh, Audele.

⁷ *Collec. Topog. et Genea.*, vi, 153.

⁸ Dugdale's *Bar.*, i, 106.

Edward II. And the West of England may feel proud of possessing such a worthy son—one who is enrolled amongst the nobles of the counties of Somerset and Devon, and one whose power extended, too, over a considerable part of South Wales, for in that district the Martins are said to have built several castles and as many as six and twenty churches.

We are told that the state of the lord of Cemaes' household was little short of regal. And this undoubtedly is, in some degree, corroborated by the remains of his castle even as it existed at the commencement of the nineteenth century, for at that period, at least seven hundred years after its erection, it bore traces of superb and highly finished work, and of being furnished with every appendage which could contribute to the convenience, the luxury, and the magnificence of his establishment.¹

A lengthy reference has also been made to David Martin, the Bishop of Saint David's. There is but little more to add. To him was granted the manor of Eglwyserw, one of the five lordships carved out of the barony of Cemaes,² and to Wales he devoted a life full of energy. Occasionally after succeeding to the mitre, the Bishop resided at Court, the manor house, about half-a-mile to the north of the village of Eglwyserw. The house was described by George Owen, the lord of Cemaes over two centuries ago, as one which "seemeth to have been both of account and strength, for I have seen there huge walls and rooms of great breadth, all environed with a strong and deep moate digged out of the main rock, fed with a fresh spring rising in the same and all the greens thereabout growne with chamomile."³

The anxious times through which the Bishop passed affected even his robust life. On February 20th, 1327, we hear of him living in retirement. Being too aged and infirm to attend to matters of business, he appointed Stephen Baret, clerk, his attorney in England and Wales for a space of three years.⁴

¹ Fenton's *Hist. Tour in Pemb.*, ii, 548.

² Fenton's *Hist. Tour in Pemb.*, ii, 532.

³ *Ibid.*, ii, 532.

⁴ *Pat. Rolls*, 1 Edward III, m. 32, 14.

The aged prelate died on March 9th, 1327, at his manor at Llandewyn.¹ On the 26th of the same month Master Henry de Gouheria, Canon and Archdeacon of Saint David's, brought official news of the death of David, and was granted letters to the precentor and chapter of license to elect.²

David Martin was laid to rest in a tomb in the Lady Chapel on the south side of Saint David's Cathedral. At least, this is the story handed down by tradition, with the addition that it was by the deceased Bishop that that chapel was originally completed between 1293, when he acceded to the bishopric—previous to which he was Chancellor of the University of Oxford—and the date of his death.³

Edward Martin, the eldest son of William and Eleanor, being dead, the vast possessions of Lord William descended to his second son, William. There is little left on record of this man, possibly because he was altogether eclipsed by his illustrious father, and by the fact that he had so short a connection with his possessions.

He was born in 1295, and was thirty years old when his father died. He married Margaret, daughter of Lord Hastings, and that lady, who afterwards became the wife of Robert de Waterville, participated in a share of the Martin property in its partition after the death of Lord William without issue.

To Robert de Waterville and Margaret, "once the wife of William, son of William Martin," was assigned the manor of Dartington, lands at Shillingford, the manor of Ilfracombe, the hamlet of Upexe, the manors of Tawstock, Langacre, Kingstowe, Pulle (Pylle), Somerset, and lands at the hamlet of Wootton.

Lord William was ordered to attend a great Council of the Magnates at Winchester on the 3rd March, 1325, and was summoned to Parliament on the 5th May and the 10th October, in

¹ Manby's *Hist. and Antiquity of St. David's*, 142.

³ Manby's *Hist. and Antiquity of St. David's*, 142.

² *Pat. Rolls*, 2 Edward III, m. 14, 253.

the same year. He was called upon but once to aid in active military operations, he being ordered to pass into Guyenne, under the command of the Earl of Warrenne, the muster taking place at Portsmouth on the 24th March, 1325.¹

Lord William died the following year, 1326. He was then the owner of upwards of two hundred and fifty properties situate in London, Wales, Somerset, Devonshire, Cornwall, and Dorsetshire.² Besides holding the whole territory of Cemaes of the king in capite by the fourth part of one knight's fee, wherein he had the castle and town of Newport,³ he had West Lydford, which came in the partition after his death to James, Lord Audley,⁴ and the manor of Pulle (Pylle), which he held of the Abbot of Glastonbury by the service of half a knight's fee, and the manor of Blagdon.⁵

There is a picturesque story told of his death, and it is to be hoped that tradition is kinder to him in this than some chroniclers have been in dealing with the events of his life.

William was very fond of hunting and owned a pack of hounds. After a stern chase with the red deer he, his horse, and his hounds were well-nigh exhausted. It was very late before they reached the vicinity of Barnstaple Castle. The porter had raised the drawbridge, never dreaming that his lord would arrive that night, for it was pitch dark. But William, with that trait of doggedness which characterised the Martins, plodded on and on. At length he came to his home, but in the darkness man and horse fell into the moat and were drowned.

The death of this man brought to a close the elder line of the Martin family, and their great estates were scattered into a number of hands. William's two sisters were the principal participants in the division, and his widow also became possessed of a portion as previously stated.⁶

¹ Palgrave's *Parl. Writs*, ii, 1151.

⁴ Collinson's *Hist. of Somerset*, ii, 84.

² *Cal. Inq. Post Mortem*, i, 329.

⁵ *Ibid.*, iii, 569.

³ Dugdale's *Bar.*, i, 729.

⁶ See page 71.

Joan and her husband, Nicholas, Lord Audleigh, died previous to Lord William, and their son, James de Audleigh, was placed under the guardianship of his aunt, Eleanor, and his uncle, Philip Columbers. To James was assigned the hamlets of Kilmington, North Lew, Takebeare, and Staunton, the manors of Warkleigh, Nymet Tracey, Bovey Tracy, Raddon, Lydford (Somerset), Blackdown, the castle and town of Newport, and other property, whilst to Eleanor and her husband came the manors of Combe Martin, Barnstaple, Holsworthy, and South Molton, together with certain lands in the city of Exeter, the rents of East and West Ansty,¹ and the third portion of the manor of Compton Martin.²

In addition to the property mentioned in this roll, James Audleigh, of course, inherited many other castles and estates, amongst them being Dartington.

This was one of the grand baronial halls of England. It occupied a noble position on the west side of the lovely river Dart, and was a magnificent pile. In appearance it resembled a college of a university with a fair quadrangle of about an acre of ground in the middle. The extent of the building may be gathered from the fact that the large hall was some seventy feet in length by forty feet in breadth. And here the Martins, during the many years they inhabited the place, must have seen many a revel.

Tradition has attempted to give the Knights Templars the credit of being possessors of this noble residence, but no claim by them can be substantiated. The Martins owned Dartington before the Order was instituted at Jerusalem, about the year 1118, and it remained with them long after its extinction in 1312.

Here they lived for generations, and one can picture in that large hall, when the family was in the height of its prosperity, the scenes enacted there. The fourteenth century was essentially a time of luxurious living and dress. About

¹ *Cal. Inq. Post Mortem*, 6 Edw. III, 105. ² *Collinson's Hist. of Somerset*, ii, 132.

the fine terraces, which sloped down to meet the waters of the river Dart, walked matrons and maids resplendent in embroidered gowns and jewellery, a kerchief of fine lawn or cambric, or coloured silk draped over the hair of the former, and the maids wearing a ribbon of silk.

Then, after the minstrels had amused them they would adjourn to the hall for dinner; and here the costly habits of the upper classes were especially noticeable. Chaucer, in his *Parson's Tale*, says they had "divers meats, and drinks, boiled, roasted, grilled and fried." Another chronicler of the times brings before us visions of boars' heads "on broad dishes of burnished silver," as a first course, with the flesh of fat harts, peacocks, and plovers on platters of gold. Herons and swans were served on silver chargers, and the menu included hams of wild boar, barnacle geese, and bitterns, venison in pasties, jellies, cranes and curlews, conies, with:—

"Pheasants in their feathers on the flashing silver,
With gay galantines and dainties galore."

Truly a regal feast, to be washed down with wine of Alsace and Antioch and Hippocras, vernaccia from Venice, which, we are told, was a wine of great virtue, Rhenish wine and Rochelle, and wine from Mount Rose. All these were served in flagons of fine gold, and gilt goblets set with jewels were used by the guests.

And the banquet being concluded spices were dispensed with unsparing hand:—

"And Malmsey and Muscatel, those marvellous drinks,
Went readily round in fair russet cups."

This gives some idea of a dinner in one of our baronial halls in the fourteenth century, and such, without doubt, graced the boards in the lovely castle of Dartington during the regime of the Martins.

Dartington, after the death of Lord Audleigh, and failing heirs male, escheated to the Crown in the reign of

Richard II, by whom it was given to his half-brother, John Holland, afterwards Duke of Exeter.¹

James Audleigh was born in 1313.² Scarcely three years old, at the time of his father's death, he was taken care of by his aunt, Eleanor Columbers. He inherited the love of arms from his ancestors, and although the possessor of a rich patrimony through his cousin, William Lord Martin, he chose to follow the fortunes of war. He was too young to know anything of Bannockburn, with which campaign his great uncle, William Lord Martin, and the Bishop of Saint David's had been so closely associated. He had heard of the slaughter of England's yeomen as he grew up, and was but fifteen years of age when the Scottish war again broke out in 1328. A peace was patched up at Northampton, but there was a seething discontent amongst many of the barons, and it was not long before there was further trouble. The warlike spirit possessed James, and the royal favour was extended to him, with the result that he was made Governor of Berwick Castle in 1336, in his twenty-third year.³

Soon the Hundred Years' war commenced. Edward and Philip of Valois quarrelled, and in 1337 the former openly announced that he would do battle with France to recover the crown of that country, which he held to be his lawful possession.

James de Audleigh was soon in the thick of the conflict, attending the king in his expedition with twenty men-at-arms and twenty archers. In 1344 James did his fealty to the king for the land descended to him by the death of his aunt, Eleanor,⁴ and later returned to France with men-at-arms and archers, he receiving a summons on July 4th, 1345, to be ready with his retinue to cross the sea to the king with twenty-two bannerettes.⁵ For upwards of twenty years he served his royal master in trying to win for him a fresh kingdom; and so well

¹ Prince's *Worthies of Devon*, 504.

² *Collec. Topo. et Genea.*, vi, 153.

³ Dugdale's *Bar.*, i, 749.

⁴ *Rot. Fin.*, 17 Edward III.

⁵ Rymer's *Fœdera*, i, 344.

did he perform his part that he was honoured with being made one of a brotherhood of twenty-five knights, who formed the famous Order of the Garter. This, according to Stowe, would be about the year 1350. The war continued, and three years later James was charged to find fifty men-at-arms with lances in the king's service for his land at Cemaes and the commote of Penarth, in Wales.¹

But it was at the famous battle of Poitiers, on the 19th September, 1356, that James de Audleigh—to use the term employed by Prince—"eternised" his memory. Edward was sorely pressed; but the English archers, true to their traditions, fought with desperate bravery, and the Frenchmen, notwithstanding the great superiority of their numbers, were routed with great loss.

James de Audleigh was in the thick of the battle, and his conduct is quaintly described by Froissart, the great historian of the French wars, in the following language:—

"The Lord James Audleigh went not from the Prince of a great season, but when he saw that they should needs fight, he said to the Prince, 'Sir, I have served always truly my lord, your father, and you also, and shall do as long as I live. I say this because I made once a vow, that the first battel that either the king your father, or any of his children should be at, how that I would be one of the first setters on or else to die in the pain; therefore I require your grace, as in reward for my service, that ever I did to the king your father, or to you, that you would give me license to depart from you, and to set myself there, as I may accomplish my vow.' The Prince accorded to his desire, and said, 'Sir James, God give you this day that grace to be the best knight of all other'; and so took him by the hand.

"Then the knight departed from the Prince, and went to the foremost front of all the battel, and onely accompanied with

¹ Dugdale's *Bar.* i, 749.

four esquires, who promised not to fail him. This Lord James was a right sage and a valiant knight; and by him was much of the Host ordained, and governed the day before.

"The Lord James Audleigh, with his four esquires, was in the front of the battel, and there did marvel in arms; and by great prowess, he came and fought with Sir Arnold Dandraher under his own banner, and there they fought long together, and Sir Arnold was there sore handled.

"On the English part the Lord James Audleigh, with the aid of his four esquires, fought always in the chief of the battel. He was sore hurt in the body, and in the visage. As long as his breath served him he fought. At last, at the end of the battel, his four esquires took and brought him out of the field, and laid him under a hedge to refresh him. And they unarm'd him, and bound up his wounds as well as they could.

"As soon as the Earl of Warwick and Lord Cobham were departed from the Prince, the Prince demanded, etc., for the Lord Audleigh. Some answered, 'He is sore hurt and lieth in a litter here beside.' 'By my faith (said the Prince), of his hurts I am right sorry. Go and know if he may be brought hither; else I will go and see him there as he is.' Then two knights came to the Lord Audleigh and said: 'Sir, the Prince desireth greatly to see you,' etc. 'Ah, sir,' said the knight, 'I thank the Prince when he thinketh on so poor a knight as I am.' Then he called eight of his servants and caused them to bear him in his litter to where the Prince was.

"Then the Prince took him in his arms and kis'd him, and made him great cheer, and said, 'Sir James, I ought greatly to honour you: for by your valiance you have this day achieved the grace and renown of us all; and ye are reputed for the most valiant of all other.' 'Ah, sir,' said the knight, 'ye say as it pleaseth you; I would it were so. And if I have this day anything advanced myself to serve you and accomplish the vow that I made, it ought not to be reputed to my own prowess.'

“ ‘Sir James,’ said the Prince, ‘I and all ours take you in this journey for the best doer in arms. And to the intent to furnish you the better to pursue the wars, I retain you for ever to be my knight, with five hundred marks of yearly revenue, the which I shall assign you of my heritage in England.’

“ ‘Sir,’ said the knight, ‘God grant me to deserve the great goodness that ye shew me.’ And so he took his leave of the Prince, for he was right feeble, and so his servants brought him to his lodging.

“The Lord James Audleigh gave to his four esquires the five hundred marks revenue that the Prince had given him.

“When the Prince heard of this gift made by Sir James Audleigh to his four esquires, he thanked him for so doing, and gave him six hundred marks per annum more.”

James de Audleigh was in attendance on the king in France in 33 Edward III (1360), and we still find him fighting in 36 Edward III—twenty years after he first visited France as a warrior.¹

In 1361 he was made Constable of the Castle of Gloucester,² that stronghold in which John imprisoned for a time his fair captive, Princess Elianor, the Beauty of Brittany, whom he took prisoner, with her brother, Arthur, Duke of Brittany, in 1202, during the siege of Mirabel Castle, in Poictou.³ And he was specially employed with others for the government and defence of Devonshire against invasion.⁴

Dying on the 1st April, 1386,⁵ at the age of seventy-three years, he bequeathed his body to be buried in the:—

“Quire of his abbey at Hilton, before the High Altar, in case he should depart this life in the marches, but if in Devon or Somerset then in the Quire of the Fryers-preachers at Exeter before the High Altar there.”

¹ Dugdale's *Bar.*, i, 749.

² *Ibid.*

³ Watson's *Pleas of the Crown*, 64.

⁴ Risdon's *Note-Book*, 142.

⁵ Musgrave's *Obit.* (Harleian Society), 69.

And he appointed that there should be:—

“About his corpse five great tapers and five morters of wax, burning on the day of his funeral, as also forty pounds sterling then distributed to poor people to pray for his soul”¹

As a matter of fact he died at Heleigh, and was buried in Hilton Abbey, Staffordshire.²

Amongst his lands, of which he died seised, were the lordships of Nether Stowey, Peryton, Donende, Wollavynton, Stockland Lovel, and Crandon, in Somerset.³

He was twice married,⁴ and was succeeded by his son, Nicholas, who fought in the French wars from 1360 to 1367. In 5 Richard II (1382) he was constituted a justice of the peace for South Wales, having in several commissions been appointed with his father to take care of the fortresses and the defence of those parts. Nicholas died in 1392 without issue, and the family heritage became divided.⁵ As lord of Cemaes, he paid into the hanaper—the roll is dated July 12th, 1378—a fine of £25, and received a pardon on behalf of himself, William Podmore, his servant, and all his other servants, on account of certain acts which are not specified, committed within the land, lordship, or liberty of Cemaes, or county of Pembroke, contrary to an agreement made between William de Valencia, sometime Earl of Pembroke, and William Martin, then lord of Cemaes.⁶

Sir John Touchet next bore the title of Lord Audleigh. He died 10 Henry IV, and was succeeded by James, Lord Audleigh, who was slain at the battle of Bloreheath by the Earl of Salisbury on the 23rd September, 1459. John followed, and was succeeded by James, who met a traitor's death.

This man lived at Stowey when Michael Joseph was one of the prime movers in Cornwall against the tax imposed by Henry VII to make the north safe against the Scottish attacks.

¹ Dugdale's *Bar.*, i, 750.

² *N. & Q.*, IV, iv, 44.

³ Dugdale's *Bar.*, i, 750.

⁴ Collinson's *Hist. of Somerset*, iii, 552.

⁵ *Ibid.*

⁶ *Cal. Pat. Rolls*, 2 Rich. II, m. 44, p. 261.

Joseph, who was a farrier at Bodmin, and Thomas Flammock, a lawyer, argued that the cost proposed to be incurred should be met by the payment of scutage and other feudal dues. Against this the people rose in rebellion, armed themselves, and set out on a warlike expedition towards London.

Perkin Warbeck went down to Cornwall and provoked the rising. Followers swarmed around him, and by the time he reached Exeter his troops numbered some six thousand men. Gaining courage by his successful recruiting he knocked at the gates of Exeter, demanding the surrender of the citizens and the admission of himself and his followers. But the Exonians declined to obey. They had anticipated something of this kind and had made preparations for the arrival of the rebels. The result was that a furious assault was commenced, and the attacks made by Perkin and his men were repulsed again and again. From time to time the gates were opened, and the port pieces charged with pieces of glass, old iron, and musket balls were discharged, causing a great slaughter of the assailants.¹ Such, says Hoker, was the courage and valiant stomach of the citizens, that they decided on suffering every extremity rather than submit to a surrender.² The enemy burnt Northgate and actually forced an entrance into Eastgate as far even as Castle Lane, but were gallantly foiled and driven back with considerable loss.³

Warbeck and his army were getting the worst of the fray, and the rebels finding no hope of success turned the siege into a blockade, thinking to compel the citizens to surrender by famine. Here again they reckoned without their host. Succour was close at hand, and whilst the king was sending Lord Daubeney at the head of a large force to attempt relief, the Earl of Devon and others collected their tenants and followers and marching on Exeter the rebels thought it prudent to retire towards Taunton.⁴

¹ Jenkins' *Hist. of Exeter*, 91.

³ Oliver's *Hist. of Exeter*, 86.

² Vowell alias Hoker's *Desc. of Exeter*, 33.

⁴ Jenkins' *Hist. of Exeter*, 91.

There Perkin "viewed his hoost and set it in aray redye to fight, howbeit he had but lyttle assiaunce in the same because many of his souldiours were so slenderly harneissed and no better skylled in warre. When the kyng sawe he was gone to Taunton he hasted hither after him with all spede. Thether came also Edward, ye Duke of Buckingham, a young man, veray valiaunt and of lustie courage, and hym folowed a great compaignye of noblemen as (amongst others) John Wadham, Hugh Luttrell, William Norris, John Speke, John Langford, Amis Paulet, John Byknell, William Martyne, Richard Corbet."¹

The rebels next visited Wells, and here they were met by Lord Audleigh, who took command. He led his force by Salisbury and Winchester to Farnham. The Somerset people seemed to have shown the Cornishmen sympathy, although the king's chief supporters in the county were such influential men as Sir Hugh Luttrell, Sir John Speke of Whitelackington, and John Sydenham of Brympton. But on the insurgents went, armed with bills, bows, and clubs, only to be put to flight at Blackheath by Lord d'Aubigny, two thousand of the rebels being slain. Lord Audleigh was amongst those who fell into the hands of the Royal forces.

Writs were sent out to the Sheriffs of Devonshire, Somerset, Gloucestershire, Hampshire, and Surrey to make proclamations for the pardon on their submission to the king's mercy of all offenders in the insurrection, but the king executed the chief captains, Lord Audleigh, and Flammock, and Michael Joseph, upon their conviction on trial before commissioners to execute the office of Constable and Marshall of England,² and de Audleigh's estates were confiscated to the Crown.³

We are told that "Lord Audelie was drawne from Newgate to the Tower Hill in a coate of his own armes, painted upon paper, reversed, and all torne, and there was beheaded the four and twentieth of June. Thomas Flammocke and Michael

¹ *The Chronicle of John Harding*, 580.

² *Phelps' Hist. of Somerset*,

³ *Somerset Archæological Society's*

ii, 467.

Joseph were hanged, drawne, and quartered, after the maner of traitors, and their heads and quarters were pitched upon stakes and set up in London and in other places, although at the first the king meant to have sent them into Cornwall to have beene set up there for a terror to all others.”¹

The king forgave the Cornishmen for their folly, which they had cause to remember by the heavy fines imposed. He, in person, on the 7th October, 1497, thanked the citizens of Exeter for their loyalty in resisting Perkin Warbeck, and in token of the royal pleasure gave the mayor the sword of state and cap of maintenance which to the present day form part of the city regalia, and are borne before the mayor on the occasions of all civic processions.

We must now return to Robert Martin, the younger son of Nicholas Martin, of Dartington, and Matilda de Brien.² He resided in Dorsetshire, and was the progenitor of the line which produced the Martins of Athelhampton, of Seaborough, and of Exeter.

Some difficulty is experienced here in tracing the pedigree. Hutchins makes Robert the younger son of Nicholas Martin and Matilda de Brien, followed in succession by four other Roberts, and the confusion caused by these similar names is about as great as between the Roberts who immediately followed the founder of the family, Martin de Tours.

In a record of an assize of novel disseisin, 19 Henry VI, exemplified 20 Edward IV, concerning a tenement at Polenyston, in Charminster, it is set forth that Nicholas FitzMartin, lord of Polenyston, in the reign of Henry III,³ had issue, Robert, who before 13 Edward I married Anne, by whom he had Nicholas, whose son, Robert, died without lawful issue, 50 Edward III, and Joan, his sister, married John de Govis.

We find a Robert Martin, Member of Parliament for the county of Dorset in 1295, and a Robert, prior to 1286, owned land in Somerset, which belonged to his ancestors. Together

¹ Holinshed's *Chronicles*, iii, 515.

² See p. 25.

³ See page 27.

with Thomas de Gymeworg and Isabella de Fiscurs he held one fee in Withycombe, John de Mohun being the lord.¹

In 1287 a grant was made by Robert Martin, knight, by consent of Amy, his mother-in-law (*socre*), to Geoffrey Dobel, of a messuage at Withycombe in free marriage with Isabel de Boneville.² Seventeen years later (1304) letters of attorney of Robert Martin, "son of Sir Nicholas Martin, Knight," were granted to Hugh de Wollavington, chaplain, to give seisin to Edmund Martin, his son, of lands at Withycombe, Cutcombe, and Watchet.³ Robert also held one fee in Brune and Treberth (Treborough) of Thomas de Gomory.⁴

The lordship of Brune was held of the castle of Dunster by the Martins.⁵ Edmund Martin is certified as one of the lords of the township of Withycombe and lord of Brune on the 5th March, 1316.⁶ Brune, which was within the parish of Treborough, was held in the time of King Edward, and gelded for one hide. The arable was six carucates. In demesne were two carucates and a half held by two servants and thirteen villanes, and three cottages with four ploughs. There was one acre of meadow and four and twenty acres of pasture and twelve acres of wood.⁷ And in a document, dated Palm Sunday, 1330, Edmund, son of Sir Robert Martin, granted to John de Fitzurs, "parson of the Church of Brompton Ralph," and William le Cras, "parson of the Church of Hawkridge," of lands, etc., at Withycombe, Cutcombe, and Watchet.⁸

A Robert Martin, of Yeovilton, received a writ as one of the lords of the township of Giuaton, or Yevelton (Yeovilton), Somerset, on the 5th March, 1316.⁹ As a politician he espoused the cause of the Earl of Hereford in his opposition to the

¹ *Kirby's Quest* (Somerset Record Society), 37.

² Luttrell's MSS. in *Hist. MSS. Commission Report*, X, part vi, 74.

³ *Ibid.*

⁴ *Kirby's Quest* (Somerset Record Society), 37.

⁵ Also called Brown. Collinson's *Hist. of Somerset*, II, 46; *Kirby's Quest: Nomina Villarum* (Somerset Record Society), 56.

⁶ *Palgrave's Parl. Writs*, ii, 1148.

⁷ Collinson's *Hist. of Somerset*, ii, 46.

⁸ Luttrell's MSS. in *Hist. MSS. Commission Report*, X, part vi, 74.

⁹ *Palgrave's Parl. Writs*, ii, 1148.

influence exerted over King Edward II by the Despensers, and obtained a pardon for all felonies, etc., committed in the pursuit of these royal favourites. In 1324, he appears amongst the men-at-arms returned by the Sheriff of Somerset, pursuant to a writ tested at Westminster on the 9th May of that year, as summoned to attend the Great Council.¹

The next writ received causes some trouble. It is dated the 12th May, 1326, and states that "Robert Martyn, of Yeovilton, holding one entire knight's fee or lands to the amount of £40 yearly value, neglects to take the degree of knighthood, and is summoned to appear in chancery to answer."

The strange thing is that on the same day, and in the same year, Palgrave mentions a Nicholas Martin who offended under precisely similar conditions. Again there is this likeness between Robert and Nicholas, that on the 5th March, 1316, both appear to have received writs certifying them as lords—in one case, as we have stated, of Yeovilton, and in the other of Ashton and Shapley, and Leigh Peverel and Dunchideock, Devonshire.² A Nicholas died in 1327.³

In a visitation book in the British Museum, No. 1166, is a pedigree of the Martins of Walterston. By this it is shown that Nicholas married Alice, the heiress of Pydel,⁴ and by this alliance Pydel, or Athelhampton, came into the Martin family, the most early lords of the latter place being the Loundres, or de Londres and Pideles.⁵

We are inclined to the belief that the Robert last referred to is identical with the Sir Robert Martin who married the only daughter of Peter de Yevilton (Yeovilton). He is described as the eldest son of Sir Robert Martin.⁶ The difficulty of identification is increased by the fact that these men, residing in different places, were variously described according to their habitations, and documents show conclusively that at this time Robert Martin, of Walterston, and Robert Martin, of Evilton

¹ Palgrave's *Parl. Writs*, ii, 1148.

² *Ibid.*

³ Hutchins' *Hist. of Dorset*, ii, 581.

⁴ Also spelt "Piddle."

⁵ Hutchins' *Hist. of Dorset*, ii, 580.

⁶ *Somerset and Dorset N. & Q.*, vii, 58.

(Yeovilton), were the same. Robert's property descended to his brother, Richard, and his widow afterwards married Thomas Paine, of Speckington.¹

We now meet with another Robert who lived at Yeovilton, and who married Margaret, daughter of John Basset, or Biset. This Robert, too, seems to have had some objection to accepting the honour of knighthood, for he was prosecuted in the 8 Edward III (1335) for not appearing before the king to take the Order.²

When Robert came of age, seeing that he held a knight's fee in capite, it was his duty to receive the order of knighthood and attend the king in the wars, or else pay a fine for non-compliance. This prerogative was recognised by the *Statute de Militibus*, 1 Edward II, and was exerted as an expedient for raising money. Besides, no person was qualified for deed of arms and chivalry who had not received this Order.³

Robert was, no doubt, too busily engaged in the Scottish wars to trouble about this, for the proclamation made in the county of Dorset stipulates that the Order should be taken by Trinity, 7 Edward III (1334). However, Robert soon received the king's pardon, for it was found he had complied with all the necessary conditions at Berwick-upon-Tweed, shortly after the said feast.⁴

Robert's domestic felicity was, in 1336, rudely disturbed, and a commission of oyer and terminer was issued to John Inge,⁵ Oliver de Sewyngton, and Elias de Godele, on Robert's complaint that John de Crucheston and others abducted his wife, Margaret, and his goods at Rokebourne, co. Southampton, and detained them.⁶ There seems to have been a very pretty

¹ *Somerset & Dorset N. & Q.*, vii, 58.

² *Palgrave's Parl. Writs*, ii, 1148.

³ *Blackstone's Commen.*, ii, 69.

⁴ *Cal. Pat. Rolls*, 9 Edward III, m. 7, 123.

⁵ John Inge was one of the King's Justices of the Court of Common Pleas who came on circuit in Devonshire in 8, 11, 13 and 16 Edward III.

⁶ *Cal. Pat. Rolls*, 10 Edward III (1334-1338), m. 45d, 280-1.

quarrel between Robert Martin and John de Crucheston, for two months later there is another commission to William de Shareshull, William de Whitefield, and John de Clivedon, by Crucheston, that Robert Martin and others broke his houses and chests at Rokebourne, and carried away his goods, as well as deeds, writings, and other muniments.¹ Rokebourne was a manor in Hampshire held by the Biset family, who also owned property in Kidderminster.

About three years later the sequel is found in an assize of novel disseisin² of Crucheston against Robert Martin and his wife, Margaret, and another, in respect of messuages and lands in Chapel Ashton, Wilts.³ The husband and wife alleged "in the country" that recourse had been had to a writ of a higher nature in the Bench. And the record was denied. The case was adjourned until the Monday next after three weeks of Saint Michael.⁴

On that day Robert did not come, but Margaret prayed to be received. This was granted, and she stated that Crucheston ought not to be answered because he was out of the law, and she showed how he was outlawed in anoyer and terminer at the suit of her husband for trespass, in which he ravished the wife (herself as appears by the record) of the latter and carried off his goods.

The judges trying the case were Pole, Parning, and Scharshulle. The latter, as a justice of common pleas, came on circuit into Devonshire in 11, 13 and 16 Edward III.⁵ These learned men argued the matter out, and Scharshulle held that Crucheston had a right to an answer.

We give the conclusion of this case from the law report, as an instance of the quaint legal phraseology of the period:—

"Pole: He does not show title since the time when he was restored; judgment whether an assize, etc.

¹ *Cal. Pat. Rolls*, 10 Edward III (1334-1338), m. 28d, 287.

² See p. 16.

³ *Placita de Banco*, Mich. 13 Ed. III.

⁴ September 29th.

⁵ *Risdon's Note-Book*, 189.

"Parning: He does not allege the outlawry for a felony, which would give an escheat, but for trespass, in which case the freehold always continued in us; judgment:—And we pray the assize.

"And afterwards the assize was awarded."¹

This extract is an illustration of a law report made upwards of six hundred years ago, and shows with what completeness the records were then taken.

We find Robert Martin acting as a justice with John Inge and Ralph de Middelneye on a commission of oyer and terminer on the 26th August, 1337, on a complaint by John de Urtiaco that William Gery, "Mareschal," Elizabeth his wife, Elena Basket, of Bedeford (Bideford), John Grey, parson of the Church of Stoke Tristre, John Grey, the younger, Nicholas le Taillour, of Wyncaunton (Wincanton), Richard de Fynden, Roger de Fynden, and others, broke his house at Stoke Tristre, and carried away his goods.²

In August, 1337, Robert Martin and Margaret, his wife, were granted a license to enfeoff Walter Pope, chaplain, and William Page, of the manor of Rokebourne, and a moiety of the manor of Combe Byset (Combe Bisset), Wilts, said to be held in chief, and for them to regrant these to Robert and Margaret for their lives, with remainder to John, son of Margaret, in tail, and reversion to the right heirs of John.³

In a list of the Sheriffs of Somerset the name of Robert Martin appears against the year 1358.⁴

Again we have to deal with another Robert Martin. This one married Agnes, daughter and heiress of Richard Loundres, lord of Pydel.⁵ They had a son, Sir Richard Martin, of Athelhampton, who married Elizabeth, daughter and heiress of Henry

¹ *Year Book*, 13 Edward III, 62.

² *Cal. Pat. Rolls*, 11 Edward III, m. 8, 494.

³ *Cal. Pat. Rolls*, 11 Edward III,

⁴ *Phelps' Hist. of Somerset*, ii, 467.

m. 10d, 512.

⁵ *Hutchins' Hist. of Dorset*, ii, 580.

Pydel, of Athelhampton.¹ And these two heiresses brought much property to the Martins.

The ancient seat of the Martins at Athelhampton stood a little to the north of the turnpike road from Dorchester to Bere Regis and Wimborne, and tradition says it was the palace of King Athelstan.² It continued the home of the Martins for many generations.

Hutchins' makes the next member of the family to be Thomas Martin, who married a daughter of Sir John Clevedon. He died in 1485, and on the 8th November a writ of *diem clausit extremum* was issued upon his death in the counties of Somerset and Dorset.³ This writ issued out of chancery is evidence that he was one of the king's tenants in capite, and the jury had to enquire of what lands he died seised, and their value, and who was the next heir to him.

He was succeeded by William Martin, of Athelhampton, the founder of the Seaborough line of Martins. In a plea from the records of the Court of Star Chamber, the parties being Hewyt and others and Mayor of Exeter *v.* Mayor, etc., of London, the date 1500, and the subject illegal tolls, we find William there described as a skinner and Mayor of London in 1492. On August 6th, 1470, he was appointed by Edward IV Controller of the subsidy in the port of London and the ports and places adjacent.⁴ But it seems that William allowed political feeling to interfere with the successful discharge of his duties, for in October of the same year he was displaced. This was just after Edward's IV's flight to the continent to avoid capture by Montague. But on the king's return, in 1471, William was re-instated in his office.⁵ He was a prominent merchant, and in looking after his interests and those of his fellows he secured a dispensation against officers of the Customs acting as merchants on freighting ships, a procedure, which, if

¹ Hutchins' *Hist. of Dorset*, ii, 580.

⁴ *Cal. Pat. Rolls*, 10 Edward IV,

² *Ibid.*

216.

³ Campbell's *Material for History of*

⁵ *Ibid.*, 11 Edward IV, 269.

Henry VII, i, 609.

permitted to exist, was open to much abuse. In his day trade was flourishing, the guilds were powerful bodies, giving the manufacturers a status, and adopting every means to improve the class of work placed on the markets. Shipbuilding was a considerable industry, and wool, corn, lead, tin, honey, hides, and manufactured goods were exported to the continent.

The mention of guilds, or gilds, recalls to mind that Exeter was particularly associated with these organizations; in fact, the city's connection with them dates back to Anglo-Saxon times. Then the guild recorded does not appear to have had any connection with trade, but "this assembly was collected in Exeter for the love of God and for our soul's need, both in regard to our health of life here and to the after days which we desire for ourselves by God's doom."¹ Three meetings were arranged to take place yearly, and instructions for saying masses given. Guilds were from the earliest times brotherhoods, formed for mutual help. But as years rolled by their objects became varied, their spiritual work was overshadowed by more mundane considerations, until from the twelfth to the fifteenth centuries the local trades of towns were regulated by the merchant and craft guilds. Included in their ranks were persons of great influence and importance. Merchant traders and artisans combined to regulate the external and internal trade pursued by the guild brethren. Thus it came about that the few essential craft guilds, which are enumerated in the Exchequer Rolls of the twelfth century, had reached the number of about fifty before the close of the fourteenth century. Manufactured articles in common use were no longer of necessity imported, and English craftsmen were able to hold their own with foreign artisans, though a number of the finer crafts were not successfully practised in England until the immigration of the Protestant refugees in the sixteenth century.² Almost every industry had its guild, which laid down the rules under which alone it ought to be pursued, at least in the towns. These rules were chiefly directed to benefiting those in the guild, and preventing what was considered unfair competition between them. For a time

¹ Smith's *English Gilds*, xviii.

² Traill's *Social England*, ii, 157.

this control seems to have been general and beneficial, but we find in the records of the "Gild of Tailors" at Exeter, to which a charter was granted in 6 Edward IV, that the Mayor and Corporation of the city, in the twenty-second year of the same reign, succeeded in obtaining an Act of Parliament which repealed everything contained in the charter. Probably the municipal authority acted thus on account of some disagreement between it and the guild, for it is stated that notwithstanding the Act the guild continued and prospered, exercising all the powers named in the charter just the same as if no Act had been passed.¹ Exeter possessed many other guilds which exercised considerable influence over the trade of the city.

William Martin was allowed to ship wools or woolfells to the staple at Calais, or by the Straits of Marroke,² and as this permit would cover the Italian markets it would seem that he enjoyed a considerable trading connection.

He was evidently a man of substance at this time, for he became surety for Lord Hastings on his appointment as Keeper of the Royal Exchange in the Tower of London, on February 3rd, 1471.³

William was, in 1476, appointed Controller of the subsidy of tonnage and poundage in the port of London.⁴ This tax was levied in Henry IV's time, and the proceeds were always given to the king. The proposal of the Parliament in 1625 to renew this subsidy for one year only, when Charles I was pressing for money to enable him to carry out his Protestant foreign policy, led to a good deal of embittered feeling, and in 1629, to a tumultuous scene in Parliament, after which Charles was his own prime minister for ten or eleven years. During that period no Parliament was summoned, and tonnage and poundage continued to be levied.

In 1481, William ceased to be a Controller, but was a Collector of the subsidy.⁵ Just previously he was appointed one

¹ Smith's *English Gilds*, 299.

⁴ *Cal. Pat. Rolls*, 15 Edward IV, 320.

² *Cal. Pat. Rolls*, 15 Edward IV, 546.

⁵ *Ibid.*, 20 Edward IV, 232.

³ *Ibid.*

of a committee of lunacy of John Husey, the elder, of Shapwick—a member of a family which subsequently was allied with the Martins—and he was then, as he had been for some time, one of the justices of the peace for the county of Dorset.¹ On April 27th, 1483, he was nominated a commissioner of the subsidy from aliens in Dorset,² and this commission was renewed by Richard III on August 1st of the same year, after that monarch had ascended the throne.³

This and other similar appointments throw a side-light on a question which has often agitated the public mind—the duties on imported goods. Customs—a toll on exported and imported merchandise—were invested in the king, because he gave the subject leave to depart the kingdom, and to carry his goods with him, and because the king was bound of common right to maintain and keep the ports and havens, and to protect the merchants from pirates.⁴

There is some doubt as to the origin of customs—whether they were the inheritance of the king by immemorial usage and the common law, or whether they were granted by statute. But whatever their beginning, Edward I promised to take no customs from merchants without the common assent of the realm, except the customs on wool, skins, and leather. The duties on these were payable by every merchant, but strangers were mulcted in an amount half as much again as was paid by natives.

The *custuma parva et nova* were an impost of threepence in the pound due from merchant strangers only for all commodities as well imported as exported. These were usually called the aliens' duty, and were first granted in 31 Edward I. Subsidies were tolls imposed by Parliament upon such staple commodities as wool, sheep skins, or woollfells, and leather, over and above the *custuma antiqua et magna*; tonnage was a duty imposed over and above prisage and butlerage; poundage a duty imposed, *ad valorem*, at the rate of twelve pence in the pound on all other merchandise whatsoever.⁵

¹ *Cal. Pat. Rolls*, 20 Edward IV, 558.

⁴ Blackstone's *Commentaries*, i, 314.

² *Ibid.*, Edward V, 353.

⁵ *Ibid.*, 315.

³ *Ibid.*, 1 Richard III, 393.

William Martin's position as a merchant in the city of London had increased in importance. He was a man who not only took the greatest interest in Dorsetshire, where many of his possessions lay, but London also claimed a great deal of his time and ability. Thus in 1483 we find him appointed to the honourable office of sheriff of the city,¹ and as such he, in December of the same year, was called upon to enquire into the estates and goods of those concerned in the insurrection of the Duke of Buckingham, the prior autumn.²

The throne of Richard III was in a perilous position. The Duke of Buckingham, the Marquis of Dorset, and other knights had plotted for the restoration of Edward V, and steps were taken in Wilts, Devonshire, and other counties, to carry out the purpose they had in view. Buckingham was to take the lead. But a thunderbolt fell when it was reported that Edward and his brother had been brutally done to death in the Tower. Buckingham was proclaimed a traitor, and eventually met the end meted out to such people in those days.

But Richard still had trouble in store in the person of Henry, Earl of Richmond. There were rumours of more fighting. William Martin must have been a royalist, for on the 1st May, 1484, he was nominated as a commissioner of array for Dorset to prepare against the expected invasion of Richmond.³ The commissioners were only such men as could be thoroughly trusted. William did his duty faithfully in mustering the inhabitants of his district, for on December 8th, 1484, a similar commission was sent him.⁴

But inconsistency is not always associated with the weaker sex. William was, after all his professions in favour of Richard III, lacking in moral fibre in more ways than one.

Reference has been made to his anxiety to serve his merchant brethren by preventing officers of customs taking an undue advantage of their positions.⁵ There is circumstantial evidence

¹ Stowe's *Survey* (temp. 1603), 527.

² *Cal. Pat. Rolls*, 1 Richard III, 393.

³ *Ibid.*, 397.

⁴ *Cal. Pat. Rolls*, 1 Richard III, 448.

⁵ See p. 88.

that he was not perfectly sincere in this, for in February, 1483, he was, as part owner of a ship, the "Kateryne," of Fowey, accused of piracy on the goods of an English merchant at Bordeaux.¹

Now we have evidence that in more weighty matters he failed to act up to the principles which he had previously advocated. True, Richard III had given William some good appointments, and had trusted him in the hours of danger. But Richard had been beaten in the struggle for supremacy by Henry Tudor. And, like the Vicar of Bray, William would fain be on the side of the victor.

Thus we find him on August 31st, 1485, selected by the citizens of London to be one of the four aldermen to make arrangements for the entry of Henry VII after Bosworth,² and one of his first duties to the king was to deliver to him the plate of John Howard, first Duke of Norfolk,³ of which he accepted the custody prior to that peer taking part in the battle of Bosworth, where he was killed.

Once more, as a merchant, he was careful of his own interests. On the 9th March, 1486, he obtained a license for one year for William Martin, of the county of Dorset (probably himself), to purchase in the parts beyond the sea two hundred tuns of wine, and import the same into England in ships from foreign parts, and to sell and distribute the same at his pleasure. But the license stipulated that the customs, etc., should be duly paid.⁴

William seems to have secured the confidence of the new king, for, in 1488, he and others in Dorset received a commission to summon all earls, barons, knights, and other nobles in the county, and to examine how many archers each was bound to find for the king's army, and to take the musters of those archers preparatory to the expedition for the relief of Brittany,⁵ to which country Henry VII owed so much, and where he had been

¹ *Cul. Pat. Rolls*, 1 Richard III, 517.

² *Campbell's Materials for a History of Henry VII*, i, 6.

³ *Ibid.*, i, 244.

⁴ *Campbell's Materials for a History of Henry VII*, i, 381.

⁵ *Ibid.*, i, 384-5.

protected from all attempts of the Yorkist monarch for years. The return of the premises had to be made to the king in person "this side the quinzain of Saint Hilary next coming."¹

William got into some squabble, it could not have been very serious as subsequent events show, but on March 11th, 1488, he, then described as a citizen, alderman, and skinner of London, and late one of the sheriffs of that city, was compelled to take out a pardon at the suit of the king's peace, "for all offences and release of all arrears of accounts, etc., with a special proviso that he shall find security for good behaviour towards all the king's subjects."² Evidently he mended his ways. His commercial rectitude could not have been, at any rate, seriously at fault, for in the same year he was made Master of the Skinners' Company.³

His loyalty, too, at this period was not questioned, for he was amongst the "thastates, lordes, banerettes, and knyghtes" who were present at the creation of Henry, Duke of York, and at the tournaments and feasts which accompanied the ceremony, and which were carried out with such lavishness for several days during the year 1494.⁴

In 1501 Sir William was again honoured with the king's confidence, and was one of the knights deputed to convey Catherine, Princess of Aragon, from Sherborne to Shaftesbury, on her journey from the West of England to London in the month of October.

The preparations for Catherine's safe conduct were elaborately planned. It was arranged "that my lord steward with such as shall attende upon hym be at Excestre, the Sunday which shallbe the xvijth day of this moneth of October at the ferrest.

"Item, that the Tuesday next ensuyng, that is to saie the xixth day of the said moneth, the said princesse, accompanied

¹ St. Hilary's Day, 13th January.

³ Water's *Genealogical Memoirs of*

² Campbell's *Materials for a History of Henry VII*, i, 273.

Family of Chester of Chicheley, i, 6.

⁴ Gairdner's *Letters, etc., Richard III to Henry VII*, i, 404.

with alle the nobles of Devon and Cornwall that brought her to Excestre, departe thens and the night following loge at Honyngton.

"Item, the Wednesday then next ensuing which shalbe the xxth day of the said moneth the said princesse accompanied with the said nobles of Devon and Cornewall, shall depart from Honyngton and goo to Crokehorne and ther loge in the parsonage the night ensuing.

"And ij or iij myles before she come to Crokehorne she shalbe met with Sir Amys Paulet, Sir Hugh Lutterrell, Sir John Speke, Sir William Willoughby, Sir John Wodham, John Sydenham of Brympton, and John Horsey. And soo fourthe attende upon her and bring her to Shirbourne and there departe.

"Item, the Wendisday the xxvijth day of this moneth the said Princesse accompanied with the said Sir Amys Paulet and thoder shall disloge fro Crokehorne and drawe towardses Shirborne and there loge in the abbey that night and the Friday following alle day.

"Item, ij or iij myles before she come to Shirborne to be mette by Sir Thomas Lynde, William Martyne, Sir John Turbrevile, Sir Rogier Newburgh, Richard Willoughby, William Basket, Henry Stranguysse, and so forth attend upon her and convey her to Shaftesbury and there departe."¹

In 1492-3, Sir William was Mayor of London, and on January 6th, 1494, he received the honour of knighthood from his king, Henry VII.²

Sir William Martin was twice married. His first wife was Isabel, or Isolde, daughter of Thomas Farringdon, of Farringdon, and by her he had a son, Christopher, who also married twice, his first wife being Christian, daughter of John Cheverel, of Chantmarle, and through him the Dorset line was continued.³ Isolde, as heiress of her father, brought to her husband property

¹ Gairdner's *Letters and Papers, Richard III to Henry VII*, i, 407.

² Metcalfe's *Book of Knights*, 24.

³ Hutchins' *Hist. of Dorset*, ii, 582.

at Winterbourne, and Farringdon gave the name to a part of the county of Dorset called Winterbourne Farringdon.

The second wife of Sir William was Christian, daughter of Sir William Poulett, of Hinton Saint George, and through this alliance came a line of Martins which were intimately connected with Somerset and Devonshire. Sir William was Sheriff of Somerset in 1490 and 1501.¹

Sir William Martin, described as of Athelhampton, made his will in 1503. It was proved the following year. In it he ordered his body to be buried in the Chapel of Saint Mary Magdalene, at Piddletown, in a place prepared for that end. Christopher, his son, and Thomas, his father, are mentioned, and he left 220 marks to his daughter, Elizabeth.

Amongst the coats of arms to be found in Piddletown Church is Martin impaling, azure, three swords in pile points downwards, argent—Martin and Poulett.²

A brass recording the death of Christopher Martin exists in Piddletown Church. It is a quadrangular plate, one of the earliest of this kind. Christopher is represented kneeling at a prayer-desk, facing half round to display his tabard—a short coat of silk worn over the body armour, and reaching to the thighs, with the wearer's arms embroidered on the back and front, and repeated on each sleeve. His hair is long; the shirt of mail and two tuiles (small plates) appear beneath the tabard, and very square-toed sabatons and spurs are worn. From his uplifted hands runs a scroll bearing the following words taken from *Psalms* li, 9, "Averte faciem tuam a peccatis meis et omnes iniquitates meis dele" ("Hide Thy face from my sins and blot out all my iniquities"). Two shields bear the Martin arms. In the dexter corner of the plate is a representation of the Trinity. The Almighty Father, the Ancient of Days, is seen as an uncrowned monarch, seated, wearing a long flowing robe. His hair and beard are long, the first two fingers of His right hand are upheld in benediction, while His left hand holds a tau-shaped cross, to which is nailed God the Son. Both figures are nimbed, but no dove is apparent.

¹ Hutchins' *Hist. of Dorset*, ii, 580.

² Hutchins' *Hist. of Dorset*, ii, 622.

The inscription reads :—

“ Here lyethe the body of Xpofer Martyn Esquier
 Sone and heyre unto Syr Willyam Martyn, Knyght,
 Pray for there Soulss with harty desyre
 That they bothe may be sure of Eternall lyght
 Callyng to Remembraunce that every Wyght
 Must nadys dye and therfor lett us pray
 As other for us may do Another day.
 Qui quidem Xpoferus obiit xxv die mense Marcii
 Anno domini millesimo quingentesimo vicesimo quarto.”¹

The descendants of Christopher Martin included Thomas, who married Mary, daughter of James, a brother of Giles Lord Daubeney, who was Sheriff of Devonshire in 22 Edward IV, and a man of high rank at the Court of Henry VII,² and Robert Martin, who married Elizabeth, daughter and heiress of Sir John Kelway, of Rockbourne, Southampton.

According to Robert's will,³ which was dated June 28th, 1548, and proved on November 26th of the same year, he had three daughters, Ann, Katherine, and Cecill (Cecilia), and six sons—Nicholas, Thomas, Christopher, George, James, and Henry. The “overseers” of the will were Robert Kelway⁴ (probably a brother-in-law) and Christopher Cheverell, who married a daughter of Thomas Martin, a son of Sir William Martin, of Athelhampston, by his first wife.

The term “overseer” used in connection with a will seems strange now. But in mediæval times very frequently the testator, besides appointing executors, named certain supervisors, or overseers, or coadjutors, who, in many cases, were learned or powerful friends, and these were requested to aid and advise the executors.

There is an example of this as early as 1402, when John Atte Hyde appointed his sister, Agnes, and Thomas Asscheloed executors, and Sir John Coleford, Vicar of the Church of Nord

¹ G. Harraden's *Brasses and Brass Rubbing*.

² Rogers' *The Strife of the Roses*, 11.

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³ Brown's *Abstract of Somerset Wills*, i, 65.

⁴ Also spelt “Kailway.”

Pederton (North Petherton), "supervisor."¹ Ralph Damesele, A.D. 1402, appointed John Donne and Sir John Lynlond executors "with the supervision of Matilda, my wife."² Robert Wattes, A.D. 1405, appointed three executors and Brother William Patchulle, Master of the Hospital of Saint John of Bruggewater (Bridgwater) "overseer" of his will.³ The Bishop of Lincoln and Friar Adam Marsh are "to give their counsel to Earl Simon's widow."⁴

There are scores of such examples, but the above will serve to prove the suggestion that overseers are quite distinct from executors, being aiders and advisers to the executors.

The children of Robert Martin play an interesting part in the history of the family.

Nicholas was the elder son. He married Margaret, daughter and heiress of John and sister of Nicholas Wadham, of Merrifield, Somerset. The family of Wadhams brought great honour to that county, for it was to them we owe Wadham College, Oxford, a seat of learning long identified with West Countrymen. John Wadham, father of Margaret, at one time lived at Edge, near Branscombe. He married Joan, the widow of John Kelleway, of Cullompton, daughter and coheiress of Tregarthin, of Cornwall, and she claimed her descent from the house of the Plantagenets.⁵ Nicholas, a brother of Margaret, was Sheriff of Somerset in 1499, and married Dorothy, a daughter of the famous Secretary Petre.

Nicholas Martin had four daughters—Elizabeth, Frances, Jane, and Anne—but having no son all his property was divided between the daughters. Nicholas died in 1595, and is said to have been buried in Piddletown Church beneath the epitaph:—

"Nicholas ye first and Martin ye last.
Good night, Nicholas."⁶

¹ *Somerset Medieval Wills*, 1383-1500 (Somerset Record Society), 9.

² *Ibid.*, 11.

³ *Ibid.*, 19.

⁴ Bémont's *Simon de Montfort*.

⁵ Prince's *Worthies of Devon*, 750.

⁶ Hutchins' *Hist. of Dorset*, ii, 586.

The inscription on the tomb ran:—

"Here lyeth the body of Nicholas Martyn, esquier, who departed this life and slept with his fathers y^e 23 day of March an'o 1595, and left behind to inherit his lands iiii daughters coheires, Elizabeth, Frauncis, Jane and Anne, whose souls assuredly doth rest with Abraham, Isacke and Jacob in y^e Kingdom of Heaven."¹

Thomas, the second son of Robert Martin, lived at Park Pale, Dorsetshire. He married Elizabeth, daughter of William Gerard, of Trent, a member of a most notable family. They had several sons, one, William, marrying into the family of Richard Mansel, of Somerset. Cecilia, in 1569, was wedded to Sir George Bingham, who was Governor of Sligo, about the year 1596, and who was killed in a fight with the Irish insurgents. He was the ancestor of the Bingham family settled in Ireland, whose chief is the Earl of Lucan, but the family was of Saxon origin, and was formerly seated at Sutton Bingham, near Yeovil, and thence removed to Melcombe, Dorsetshire.²

Thomas Gerard, of Trent, in his will, dated July 15th, 1583, named Thomas Martin (amongst others) to stand seised of his lands and manors of West Waddon, Brodewaye and Mottingdon, Dorset.³

Concerning Nicholas's four daughters there are some discrepancies as to whom they married, and the will of the mother, Margaret Wadham, adds to the confusion. This will, bearing date, May 4th, 1606, was proved on April 26th, 1611, by John Perry, power being reserved to the other executors. She desired to be buried at Piddletown with her deceased husband, and allowed £200 for her funeral expenses. To the Church at Piddletown—the church of "Weatherbury," which was the scene of Sergeant Troy's belated remorse, so graphically depicted by Thomas Hardy in *Far from the Madding Crowd*—she bequeathed £5 to be bestowed on "shroudes for the poorest sort of people there to be buried." To the poor of the same place she gave £10, and to the poor of Tincleton, £6 13s. 4d.

¹ Hutchins' *Hist. of Dorset*, ii, 622.

³ Brown's *Abstract of Somerset Wills*,

² Burke's *Landed Gentry*, i, 116.

i, 46.

She left her brother [in law], Henry Martin, £20, "and to my daughter, the Lady Elizabeth Hamond, £100 for her own use; to my daughter, Frances White, £100 for her own use."¹ This will, which was full of omissions, ended in a law-suit.

According to the Martin pedigree in Hutchins' *History of Dorset*,² the children of Nicholas Martin and Margaret Wadham were:—Elizabeth, married Henry Brune; Jane, married Henry Titchborne; Frances, married at Piddletown, in 1577, Thomas White, of Fittleford; and Ann, married Anthony Floier.³ Henry Brune was the son of Sir John Brune, knight. They had six children. He died 36 Elizabeth, and held a moiety of Athelhampton.⁴

Anthony Floier was the son of William Floier, of Saint Thomas, Exeter, who was an eminent soldier. Floyer Hayes, for many years the home of the Floiers, was held under the Earl of Devon by the service of waiting paramount, whenever his lordship should come into Exe Island; the tenant being "seemingly appareled with a napkin about his neck or on his shoulders, and having a pitcher of wine and a silver cup in his hand, whereof to offer his lord to drink."⁵

Before we leave the Dorset branch we must refer to one member who did excellent public service for that county. Thomas Martin was the younger son of John Martin, of Cerne. Educated at Winchester, and then at New College, Oxford, he had the degree of D.C.L. of Bourges University conferred upon him. He followed the profession of a lawyer, and became a Chancellor to the Bishop of Winchester, an official of the Archdeaconry of Berks, and a Master in Chancery. He took a conspicuous part in the proceedings against Bishop Hooper, who was burnt as a heretic at Gloucester on the 9th February, 1555, Archbishop Cranmer, at one time Archdeacon of Taunton, who met his death at the stake the following year, and other Protestants. But it appears that Thomas Martin interfered to procure the discharge of Richard Horneby, Groom

¹ Brown's *Abstract of Somerset Wills*, i, 123.

² Hutchins' *Hist. of Dorset*, ii, 582.

³ Also spelt "Floyer."

⁴ Burke's *Commoners*, i, 205.

⁵ Friend's *Bygone Devonshire*, 118.

of the Chamber to the Princess Elizabeth, who had been confined in the Marshalsea for refusing to hear mass. In 1556 he occurs as one of the Masters of the Requests, and was employed with Sir Roger Cholmeley to examine Silvester Taverner on a charge of having embezzled the queen's plate. And in the same year he was entrusted with the delicate mission of approaching King Philip of Ghent touching the contemplated marriage of the Duke of Savoy to the Princess Elizabeth.

Thomas was an active politician. In 1553 he was returned to Parliament for Saltash, then he sat for some time for Hindon, next for Ludgershall, and represented the capital of his native county, Dorchester, from 1563 to 1567. He is said to have died in 1584. Another authority states that he was alive in 1589, but it is not known whether he survived that year, so remarkably fatal to eminent civilians.¹

The latter date is corroborated, for the name of Thomas Martin, of Cerne Abbas, appears amongst the "eminent natives" of Dorset in the *Gentlemen's Magazine*, and his death is recorded as taking place in the year stated.

Reference must now be made to the children of Sir William Martin, by his wife, Christian Poulett, whose mother was the heiress of Denebrand. Lady Martin was a sister of Sir Amias Poulett, who was knighted for his gallant behaviour at the battle of Newark-upon-Trent, on June 16th, 1487, and he it was who built much of Hinton Saint George.²

Christian Poulett had been twice previously married. Her first husband was Henry Hull, of Larkbeare, Exeter, who died in May, 1490. Then she wedded Nicholas Chichester, of Raleigh, and had issue, Richard, and Elizabeth (who married John Carew, of Haccombe); next, Sir William Martin, and afterwards, Sir James Chudleigh, of Ashton—four husbands in all.³

By Sir William Martin she had a son, Richard, who first married Margaret Gold, of Seaborough, and the family thus

¹ *Athanas Cantab.* (1586-1609), ii, 76; *Alumni Oxoniensis* (A.D. 1500 to 1714), 980.

² Collinson's *Hist. of Somerset*, ii, 167.

³ Vivian's *Visitation of Devon*, 492.

gained a connection with this charming little village situate close to Crewkerne.

The story of how the Martins became possessed of property at Seaborough forms one of the most interesting and sensational episodes in the history of the family.

Seaborough¹ is mentioned in Domesday as Seveberge. A portion of the manor in the time of King Edward belonged to Crewkerne, which was held by the king. The tenure was a strange one. For every freeman the Seaborough tenants had to pay to Crewkerne a rent of twelve sheep with their lambs and one pig of iron.

Seaborough bore a resemblance to the Martin property elsewhere, inasmuch as that, too, was a gift of William the Conqueror to one who came over with him from France, and fought hard to conquer the country.² The fortunate soldier was Le Sieur de Vaus, or Vallibus. The Bishop of Sarum was then the capital lord, and the feudal service due from the manor was that of one soldier.

This military tenure was a survival of the Saxon laws which exacted service in proportion to every man's land. But the Normans, though adopting the Saxon custom, changed what was originally intended as a law of liberty into one of the most slavish principles and oppressive consequences.³ Land was allotted by the conquering general to the superior officers of the army, and by them dealt out again in smaller parcels to the inferior officers and most deserving soldiers. These allotments—feoda, feuds, fiefs, or fees—carried with them the conditions that the possessor should do service faithfully both at home and abroad in the wars to him by whom they were given, for which purpose the grantor took the *juramentum fidelitatis*, or oath of fealty, and in case of a breach of this condition and oath by not performing the stipulated service, or by deserting the lord in battle, the lands were again to revert to him who granted them.⁴

¹ Also spelt "Seueberge," "Seveberugh," "Seuenbergh," and "Seveberge."

² Collinson's *Hist. of Somerset*, ii, 172.

³ Blackstone's *Comm.*, iv, 413.

⁴ *Ibid.*, ii, 45.

Seaborough was long held by the family of de Vallibus, which is evidence that the members thereof faithfully performed their military duties at a time when there was almost constant fighting. It is evident that Seaborough was by no means the only manor held by them, for when Matild de Vallibus¹ became the wife of William Lord Brewer, the founder of the Abbeys of Torr and Dunkeswell, and the builder of Bridgwater castle and haven,² she added large possessions to those already held by this notable man.³

The family of de Vallibus owned considerable property in Somerset. There were men of that name existing in the county in 1226, as is shown at the essoins (excuses for non-attendance) taken at Ivelcestr' (Ilchester) in the tenth year of the reign of King Henry III, when Ralph de Wuallibus (Vallibus), Robert de Vallibus, and Richard de Mucengros are mentioned.⁴ The latter married Grecia, daughter and heiress of the first named in 20 Henry III. Grecia, about 1245—nine years later—married Eudo de Rocheford,⁵ when the manor and estate at Seaborough passed from the Vallibus family, after possession for little short of two centuries, to the Rochefords.

Richard de Mucengros was partly responsible for a law-suit which is highly interesting and instructive as an example of the legal procedure in Henry III's reign. An assize was held at Yvelcestr' (Ilchester) on the quindene of Hilary⁶ in the 27 Henry III before Roger de Thurkeleby and his companions. Nicholas, son of Robert, had brought a writ of warranty against Richard de Mucengros concerning one virgate of land with the appurtenances in Horsington. The action was withdrawn. But further trouble ensued and produced an instance of wager of battle.⁷

At this period trial by jury was becoming the practice,

¹ Prince calls her "Beatrix de Valle"
in *Worthies of Devon*, 123.

² Prince's *Worthies of Devon*, 123.

³ Risdon's *Note-Book*, 129.

⁴ *Somerset Pleas* (Somerset Record Society), 90, 91.

⁵ Collinson's *Hist. of Somerset*, ii, 172.

⁶ St. Hilary's Day, January 13th.

⁷ See page 15.

although it was by no means rare for an appeller to be given the choice, unless a woman was the interested party and she was old or maimed, or incapable of fighting or undergoing an ordeal. Richard claimed the land by his right as son and heir of his mother, Margery, who was seised as of fee and of right in the time of King John. And he offered to deraign against them by the body of Robert de Pontefracto, a freeman, according to what was seen by Sewall, his father, etc.

Nicholas defended his claim by offering the body of his free-man, Thomas de Pyrton, and the judges considered there should be battle between them, and that Thomas should give gage to defend, and Robert should give gage to deraign.

Subsequently an agreement was come to between the parties,¹ and let us hope they lived more amicably afterwards.

The appeal of battle, although denounced by the Church, discouraged by the Great Assize, and gradually repudiated by the English people, never ceased to be the law of the land until the reign of George III.² But it is a noteworthy fact that the burgesses of Bristol were exempt from the duel.³ It is clear the dwellers in this western city found the trial by battle such a barbarous way of settling disputes that they were anxious to exempt themselves from such a procedure. London, so far as we know, was the first to get a charter of exemption, *temp.* Henry I. Bristol was granted the same privilege by John, Earl of Moreton, in 1188. Trial by jury was more humane and reasonable, and did not leave so much to chance and might. The Church, too, had set its face against trial by battle, so had the Great Assize, and although the law of the land remained the same, yet the power of burgesses was in places so great that they could force charters benefiting them from those who had power to grant them. In addition, it must be remembered that the early charters frequently confirmed the old common law rights which existed in Saxon times. Trial by battle was probably a Norman custom and first introduced into England by William

¹ *Somerset Pleas* (Somerset Record Society), 168.

² *Watson's Pleas of the Crown*, 20.

³ *Ibid.*, 98.

the Conqueror. So the burgesses of Bristol by gaining exemption by charter were only securing legal permission to continue their pre-Norman custom.

In 1263 we find a John de Mucengros and John de Vallibus joining with others in a letter in which they agreed to submit all questions arising out of the Provisions of Oxford to the arbitration of the King of France. This was the outcome of the action of the armed barons, who coerced Henry III into a promise to reform the realm. At Oxford, on June 11th, 1263, a specially selected board appointed a justiciar, Hugh le Bigod, as chancellor and treasurer, named a temporary committee to see to the king's wants and debts, presented to Parliament a list of thirty grievances, and a new constitution which was known as the Purveyance, or Provisions of Oxford.¹ Amongst the councillors was James de Audleigh.

With the Rocheford—Vallibus marriage, Grecia did not altogether surrender her rights into the hands of her husband. In the deeds drawn after the union she still retained her maiden name according to the French custom, and at Westminster, in the octave of Saint Martin,² an agreement was entered into between Ralph de Rocheford, querent, and Eudo de Rocheford, and Grecia, his wife, impedients, for two carucates of land in Seveberugh (Seaborough), and the advowson of the church there, and a carucate of land in Sandpette (Sandpit). Plea of warranty of deed was summoned. Eudo and Grecia acknowledged the right of Ralph as by their gift, so that Ralph might hold the land in Seveberugh with the advowson, of William, Bishop of Sarum, the chief lord of the fee, doing the service of one knight; and the land in Sandpette from Eudo de Sandpette, chief lord of that fee, doing the service thereto belonging; rendering to Eudo and Grecia yearly for their lives ten pounds sterling, half at Easter and half at Michaelmas, and Eudo and Grecia warranted against all men. After the decease of Eudo and Grecia, Ralph was to be quit of the said payment. For this Ralph gave Eudo and Grecia one sore sparrow hawk.³

¹ Powell's *Hist. of England*, 149.

² A bird of one year old given after

³ St. Martin's Day, 11th November. acknowledgment of right.

This concord was made with the assent and by the wish of William, Bishop of Sarum.¹

In the year 34 Edward I (1306) the manor of Seaborough was in the hands of Ralph de Rocheford. But there was some dispute between father and son as to the possession of the manor, and a rent of one pound of cumin and one pound of pepper in Samputte (Sandpit). Ralph, senior, acknowledged the right of Ralph, junior, as by his gift; for this Ralph, junior, granted the same to his father to hold for the lives of himself and his wife, Agnes, rendering yearly one rose at Midsummer, and doing to the chief lords of that fee for him all other services. After the death of Ralph and Agnes the tenement had to wholly revert to Ralph, junior, to hold of the chief lords of the fee by the services thereto belonging.²

John de Rocheford sold the whole of the manor and estate of Seaborough to John Golde, of Seaborough, in 14 Edward II (1321).³

In 1402 a John Golde, of Seaborough, gave by license from the king to John Thredder, parson of the Church of Seaborough, a parcel of land in the village,⁴ containing one hundred feet in length and sixty feet in breadth, for the building of a new church there. This church, at the end of the sixteenth century, was found too small for the inhabitants. An addition was made to it on the north side, and in 1728 further alterations and improvements were carried out.⁵ But the existence of a church dates back many years prior to this. In 1244, one Stephen was Rector of Seaborough.⁶ In 1309-10, Thomas Brice, presbyter, was the rector, and he was recommended by Tho. de Harewell as zealous of learning. He was given the living for one year with leave to lease the benefice, the lessee to gather the crops on the church land.⁷

¹ *Pedes Finium*, 40 Henry III (Somerset Record Society), 163.

² *Ibid.*, 34 Edward I (Somerset Record Society), 347.

³ Collinson's *Hist. of Somerset*, ii, 172.

⁴ *Cal. Inq. ad quod damnum*, 3 Henry V, ii, 370.

⁵ Collinson's *Hist. of Somerset*, ii, 174.

⁶ Pulman's *Book of the Axe*, 222.

⁷ *Register of Bishop Droghensford* (Somerset Record Society), 31.

When Ralph de Vallibus, in the reign of Henry III, was called upon to carry out the terms of his feudal service, a John Gole, Golde, or Gold, was sent on service to the Holy Land, and was present, we are told, at the siege of Damietta,¹ a grand debatable point between the Saracens and the Crusaders. It was a principal key to Egypt and the Holy Land. After a struggle lasting seventeen months the Crusaders took the place, but were, subsequently, forced to exchange their conquest for liberty to re-embark.²

The valour shown by Golde in this expedition won for him the warmest thanks of Vallibus, who showed his appreciation of the man's services in a tangible form, by presenting him with an estate at Seaborough. And in all probability it was a descendant of that warrior to whom Ralph de Rochford sold the property,³ after his family had held it some seventy years.

The Goldes remained in possession about three hundred years, when the property came into the family of the Martins by marriage under the following sensational circumstances.

At the end of the fifteenth century the estate was in the hands of Thomas Golde, who died on the 5th May, 1502. He was succeeded by his son and heir, Thomas, who married a daughter and co-heiress of Roger Appleton. They had five children—a son, John, and four daughters, Margaret, Katherine, Alice, and Anne. Thomas died on the 13th September, 1525, and the property passed to John.

Henley, an adjoining holding, and an ancient British fort, was then occupied by a Mr. Wyke.⁴ This place gave a name to an extensive family. Robert Henley was Sheriff of Somerset in 1612, and his grandson, Robert, created a baronet in June, 1660, was a feoffee of Crewkerne School.⁵

Between Golde and Wyke a feud existed. One day the pastime of hawking was being indulged in in the neighbourhood

¹ Collinson's *Hist. of Somerset*, ii, 172.

² *Encyclopædia Britannica*, vi, 794.

³ Collinson's *Hist. of Somerset*, ii, 172.

⁴ Also spelt "Wikes"; "Wykes."

⁵ Bartelot's *Hist. of Crewkerne School*, 59.

of Seaborough. The two men, John Golde and Wyke, were amongst those present, and like Mary Queen of Scots, during her detention in England, were enthusiasts of the sport. Whilst some followed the hawking on foot, using long poles the better to enable them to leap over the hedges and ditches, Mr. Golde rode on horseback.

Eventually he found himself on Henley farm. This act of trespass was sufficient to raise the ire of Wyke, who, it is alleged, caused two of his men to commence an assault upon Mr. Golde, which only terminated with his death from the blow of a rake.¹

The assailants were put upon their trial at an assize held at Crewkerne, and legend hath it that they were found guilty and executed in the Market Place.²

On November 14th, 1555, the Earl of Devonshire complained to Sir Robert Rochester and others that the Sheriff of Somerset withheld from him "certain goods, etc., escheated to him on account of a murder done by one Wykes within his manor of Crockhorne" (Crewkerne). And on November 16th of the same year, the Earl addressed Humphrey Mitchell, bailiff of his manor of Crockhorne, Somerset, "commending his diligence in recovering the goods of the felon Wikes."³

Another story is that Golde was murdered at the instigation of his neighbour, Wykes, for poaching on his lands, August 7th, 1555.⁴

Mr. Golde was married, but he had no family to succeed him, his son, John, dying young. His property, therefore, on the death of his wife in 1584-5, reverted to his four sisters. His will, dated October 2nd, 1545, was proved on October 25th, 1555, by Elizabeth Golde, the relict.⁵

¹ Collinson's *Hist. of Somerset*, ii, 172.

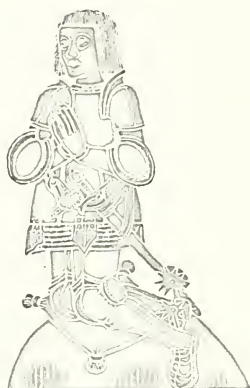
² Pulman's *Book of the Axe*, 218.

³ *Cal. of State Papers (1547-1580)*, 72.

⁴ Note by the Editor in *The particular description of the County of Somerset*,

drawn up by Thomas Gerard, of Trent, 1633 (Somerset Record Society), 134.

⁵ Brown's *Abstract of Somerset Wills* iii, 72.



Thomas Golde of the town of Crewkerne
 died the xxv day of September the year of our
 lord m^c lxxv

Thomas Golde Brass in Crewkerne Church.

In it he expressed the desire to be buried in the Church of Cruckhorne (Crewkerne), to which he left 6s. 8d., to Wells, 3s. 4d., and to Norton-sub-Hamden, 6s. 8d. To his wife he gave his lands in Somerset, Dorset, and Devon, for her life; £20 to his sister, Katherine, and an annuity of £4. The manor of Scarborough was to be held for life by Giles Penny, the younger, on his paying to the heirs twenty marks yearly. He directed that his wife should give yearly, for five years, £4 6s. 8d. to a priest to pray for him and his friends, and 20s. yearly for the same to Thomas Hobell, priest of Chardstock. To Barnard Golde he gave his best gelding and a "standing cupp." This was an article of plate in mediæval times which was hardly less important than the great salt cellar. In it the lord, abbot, and gentleman, received his wine from the butler's hand after it had been duly "assayed."¹

Amongst his lands mentioned in this will was probably a close of pasture called Maydenswell, which Golde held, and which rendered three shillings per annum to the late chantry of the Holy Trinity, now the Crewkerne Grammar School.²

There is a brass to the memory of Thomas Golde, father of the murdered man, on the south wall of the chancel of Crewkerne Church. The figure is represented in full armour of the period, with skirt and collar of mail, and sword, broad-toed sabatons and spurs. Bareheaded this knight kneels on a cushion, with hands raised in prayer.

Beneath are the words:—

"(Pray for the soul of) Thomas Golde, Esquire, which decessed the xiiij day of September, the yere of our Lord M^oV^oXXV (on whose soule Jhu have mercy)."

The words in parentheses have been almost erased.

There is still another connecting link in Crewkerne Church with the tragedy, for, included amongst the mural monuments is one with this inscription:—

¹ Cripps' *Old English Plate*, 237.

² *Survey of Somerset Chantries* (Somerset Record Society), 178.

"Elizabeth Wyke, wife of John Wyke, of Henly, in the County of Somerset, esquier, daughter of James Coffine of Munckley, in the County of Devon, esquier, was born Aug. 5, 1565, died May 28, 1615, being then of the age of 50 years, and had issue three daughters then living, Elizabeth, Rebecca and Frances."

Then follows the acrostic:—

"E nding on earth, to rebegin in heaven,
 L oving my Maker dearer than my mate;
 I calmly in a quiet ocean driven,
 S ay'd to this port, where love admits not hate.
 A nkord' I have so safely that I scorne,
 B e it with wind, tyde, weather, to be torne;
 E clipsing sins dark'ning bright virtues' sun,
 T hat weave such webbs of woes t' entangle soules,
 H ave here no residence, but downward run,
 E arthy they are, Heav'n's judgment them controules;
 God hath appointed fiery Seraphims
 To stand as sentinells 'gaynst death, 'gaynst sins.
 Well came my death that brought me unto life,
 I 'll gain my life, which would procure my death,
 K nowing the careful rest from combrous strife,
 E njoy I should with my Creator's breath.
 For by such means such power I do attaine
 Ever to live, never to die againe."

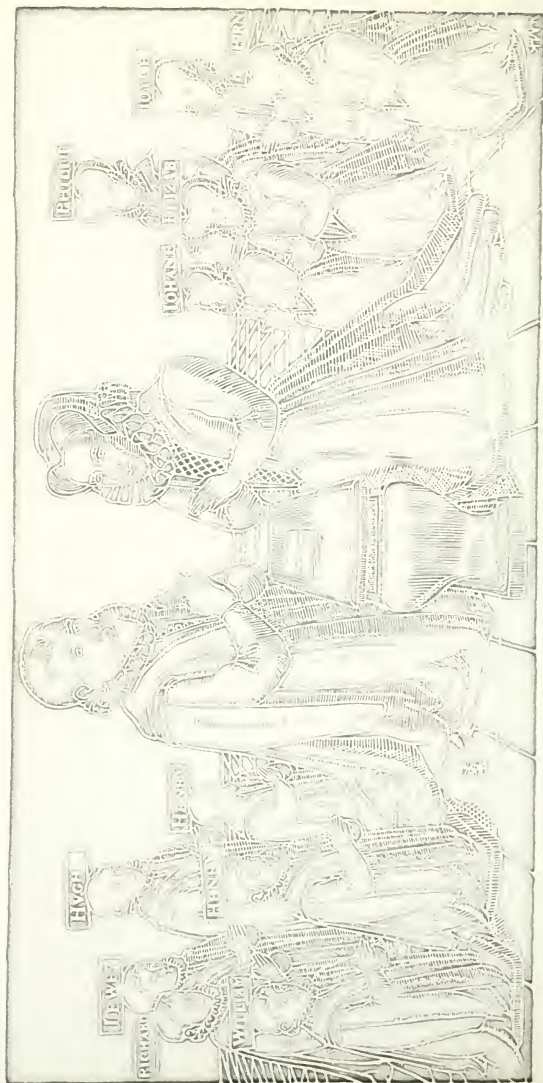
The four sisters of the murdered man, Golde, married. Margaret's first husband was Richard Martin, second son of Sir William Martin, and from their eldest son and heir, Adam, who succeeded to their portion at Seaborough, the descent of the Martins at that place continued down to the close of the eighteenth century.¹

Katherine Golde married Henry Hoskins, and died childless, at Seaborough, on the 20th March, 1586, and her fourth part of the property went to her sisters.²

Alice Golde was the wife of John Bale; Anne wedded

¹ W. H. H. Rogers in *N. and Q. for Somerset and Dorset*, vii, 91 to 98.

² Collinson's *Hist. of Somerset*, ii, 173.



Martin Brass in Hinton St. George Church.

William Stretchleigh, of Ermington. They had one daughter and heiress, Christian.¹

Anne Stretchleigh was evidently a strict Puritan, for she left to the "setting up" of the organs in the Church of Crewkerne," if they shall be set up in the honour of Almighty God," and to the poor of Crewkerne, ten shillings. To her great-grandson, George Chudleigh, she left her wedding ring, "another with a turkis, my brother Gouldes, and the other was cut from the finger of my brother after he was dead (murdered)."²

The Bales lived at Seaborough nearly one hundred years. John, the husband of Alice Golde eventually became possessed of two-thirds of the mansion house and demesne land. But the families of Martin and Bale were—says Collinson—too near neighbours to continue for long good friends, and the ways of each other's grounds became also matter of contention. Wherefore Hugh Martin, grandson of Richard Martin, who married Margaret Golde, pulled down the third part of his mansion, and, carrying off the materials built the house in Seaborough in 1591 in which some of the Martins dwelt for many years.

The two-thirds parts continued in the family of Bale until about the year 1682, when James Bale transferred them to Sir John Strode, of Parnham, knight. The rest of the manor was sold in fee to the respective tenants and, subsequently, a portion of it was re-purchased by the Martins.³

The old Martin manor house was pulled down about 1880 to make room for the present modern mansion, and the property has again passed out of their hands. In 1905 the owners were the trustees of the Batley family.

The son of Richard Martin and Margaret Golde—Adam—lived at Hinton Saint George. By Elizabeth Johnson, his wife, he had a very large family. The memories of the parents and children are perpetuated by a very fine brass on the south wall

¹ W. H. H. Rogers in *N. and Q. for Somerset and Dorset*, vii, 91 to 98.

² W. H. H. Rogers in *N. and Q. for Somerset and Dorset*, vii, 91 to 98.

³ Collinson's *Hist. of Somerset*, ii, 173

of the south aisle, in the beautiful church at Hinton Saint George. This brass was restored in 1902 by Mr. Michael Williams, a lineal descendant of the Martins.

On an alabaster tablet, decorated in colours, are some Latin verses, and the Martin coat of arms.

The Johnson or Joneson family, into which Adam Martin married, were wealthy people living at one time at Bridge, South Petherton. And Adam, by the will of William Joneson, of West Buckland, in 1570, became possessed of property in South Petherton, etc. Brome Joneson, of Bridge, made his will on the 24th April, 1586. It was proved at Taunton on the 8th October of the same year. He died seised of and in the third part of the manor of Wigbeare (Wigborough), etc., lands in Nether Stratton, Over Stratton, Compton, Seavington, Dowlish Wake, etc. This man, who was a nephew of Adam Martin, of Hinton Saint George, left these properties in trust for his son, Emors—(his real name was Emorb; Brome reversed)—and his three daughters, Elizabeth, Katherine, and Margaret, all minors, subject to his life. He settled Bridge, etc., on his wife, Dorothy, as her jointure; to his sister, Ann Newcott, and his daughter, Elizabeth, he gave £400; to Katherine and Margaret, £300 each. He made as his executors his "well beloved father-in-law, John Hoskins, gent"; his uncle, James Compton; his uncle, Adam Martin, of Hinton Saint George; his uncle, James Bale, of Seaborough;¹ his brother-in-law, Joseph Hoskins; and Francis Sandys. These gentlemen were rewarded for their services by the sum of forty shillings each.²

The will of Adam Martin is dated December 11th, 1596, and was proved February 6th, 1597, so we have a fairly clear indication of the date of his death, though this is not recorded on the memorial to which allusion has been made. He desired to be buried at Hinton Saint George, and his wishes were, no doubt,

¹ See page 111.

² Browne's *Abstract of Somerset Wills*, iv, 23.

carried out in this respect. He gave to Richard Martin, his son, who was "called to the ministry and preaching of God's word," the advowson of Armington, Devon, granted to him and his brother, Nicholas, of Exeter, by Mr. Anthony Rowse, of Hatton, Cornwall. He named in his will Margaret, Elizabeth, and Rachael Nicholls, daughters of Hugh Nicholls, his son-in-law, Philippa, his deceased daughter, and his eldest son, Hugh. To Adam Martin, son of Hugh, and the man who was subsequently buried in Crewkerne Church, he gave his "bason and ewer of silver." Then there were legacies to his own sons, Richard and William; Joan, who married Marmaduke Moore, of Drayton, in 1591; Elizabeth, daughter (*sic*) of John Lye; Katherine, wife of Richard Smith, and Elizabeth, daughter (*sic*) of Lewes Martin.

This lengthy will goes on to give to Henry Martin, another son, a cover of silver double gilt, "bought of my cousin, Dorothy Johnson, widow; plate of the gift of the Lady Christian Martin, my grandmother." Gifts were presented to Crewkerne and Seaborough. Henry Martin is named as executor. He received the residue of the estate, and was directed to comfort and cherish his mother. The overseers of the will were Henry Martin, Sir Anthony Poulett, knight, and Mr. William Gibbes.¹

A Richard Smith is mentioned in this will. He had a son, Robert, and this gentleman, with the rank of lieutenant, commanded a body of men, "16 shott, 14 bowes, 10 bills, and 20 corslets," provided by the Hundred of Pytney, Langport, and Muchelney, to do battle in the event of the Spanish Armada having a successful time.²

Henry takes a prominent place in the will. He was a lawyer, and this probably accounts for it. He was educated at Trinity College, and matriculated on the 2nd July, 1585, at the age

¹ Browne's *Abstract of Somerset Wills*,
i, 22, 23.

² S. O. Baker's *Muchelney*, 9.

of fifteen years. He chose the legal profession, as some of his illustrious ancestors had done, and was called to the Bar at the Middle Temple in 1598.¹ Henry went to South Perrott for his wife, becoming allied with a family named Gibbs, which occupied an eminent position in the neighbourhood.

The Gibbs' lived in the Manor House, South Perrott, a dwelling rendered interesting by the fact that King Charles I was a guest there on Monday, September 30th, 1644, during his march through the West. There were great rejoicings in the parish on that occasion, and a public dinner was laid in the open air.²

Springing from Hunnington, in Warwickshire, the family of Gibbs came into Dorsetshire and dwelt at Netherberie (Netherbury), and about the close of the sixteenth century William Gibbs took up his residence at South Perrott. This man married Mary, daughter of John Newcourte, of Pickwell, Devonshire, and they had a daughter, Mary, who became the wife of Henry Martin, the barrister, in 1598, the parish register recording the fact.³

William Gibbs died in December, 1616, at the age of eighty years, and was buried under the west wall of the churchyard at South Perrott, where, about 1790, were eight tombs ranged in a line belonging to the family of Gibbs.⁴

Henry Martin's will was proved on the 24th January, 1611, having been made nearly three years before. His house at Hinton Saint George he left to his sons, John and William, and he appointed as his executors his father-in-law, Mr. William Gibbs, and his brother-in-law, Mr. John Gough, who married Amy Gibbs, of South Perrott.⁵ Henry's widow married the

¹ *Alumni Oxoniensis* (A.D. 1500 to 1714), 977.

² *Pulman's Book of the Axe*, 163.

³ *Hutchins' Hist. of Dorset*, ii, 168.

⁴ *Hutchins' Hist. of Dorset*, ii, 167.

⁵ *Browne's Abstract of Somerset Wills*, i, 23.

second time, her husband's name being Hackshaw, a descendant of an old Cumberland family. She died between March 10th, 1633, when her will was made, and July 26th, 1634, when it was proved. Her desire was to be buried in the churchyard at Hinton Saint George, near to her first husband. She gave £10 to her son, William Martin, as well as her wedding ring, "by which I was contracted to his father."¹

Hugh Martin, the eldest son of Adam Martin, of Hinton Saint George, married Agnes Preston, of Cricket Saint Thomas. Hutchins names the father as Christopher, but a John Preston, of the same place, in his will, dated July 14th, 1588, and proved May 27th, 1599, left property to his son-in-law, Hugh Martin, and to his godson (*querry* grandson), Adam Martin.² He was a relative of Amyas Preston, the Somerset adventurer, who, in 1595, with a handful of Englishmen, landed near Caracas, in South America, captured that town, and demanded a ransom of £15,000 from the inhabitants.

We now come to "Adam Martine, of Seaborow, Esq., and his wife, the dafter of Hvbvrde Hvssie,³ of Sedland, Esq.," characters who appeal particularly to those who gaze upon the etched brass in Crewkerne Church.

This dull piece of metal is provokingly silent. It records neither the dates of the birth or death of Adam Martin; it does not tell us what profession he followed, nor where he lived or died. But though silent on these points it yet eloquently relates the history of the Martin family—" *Accedimus, succedimus, decedimus.*"

We have traced the advancement of the Martins from a time when they struggled for very existence, to a period when they occupied positions of the highest importance in the realm, when, by the vastness of their possessions, they held sway over a

¹ Browne's *Abstract of Somerset Wills*,
ii, 96.

² Browne's *Abstract of Somerset Wills*,
i, 31.

³ Also spelt "Husey."

great part of the West of England, when, politically, they helped to mould the destinies of the country, when, as soldiers, they fought desperately for their king.

The history of the Martin family from Norman times to the end of the fifteenth century, at least, is the history of England in cameo. *Sic transit!* But Adam Martin's memorial brass in Crewkerne Church recalls the names of West Countrymen who deserve to be better known than they are at present.

As we have said, the dates of Adam Martin's birth and death are not known. Worse than that, he is ignored by those who in past days attempted to compile a pedigree of the Martin family. Hutchins is the only one who mentions him. But there is no doubt he was the son of Hugh Martin, of Seaborough. Proof of this is seen in the will of his grandfather, Adam Martin, of Hinton Saint George.¹ And there is eminently satisfactory circumstantial evidence as to the date of his death, for we are told that "at the south end of the transept [of Crewkerne Church] are three old stone tombs. One is inscribed as follows:—

'Here lyeth the body of Adam Martin, Esq., of Seaborow, who was buried December 20th, 1678.'

The inscriptions on the other two are illegible."²

Collinson's *History of Somerset* was published in 1741, and the tombs evidently existed about that time; but no traces of them are visible at the present day. Taking the average of years allowed for a generation, there is every probability that this tomb referred to the Adam Martin whose brass now exists in the church.

His wife, Elizabeth Hussie, also claims attention. She came from a notable Dorsetshire family, whose arms were a barry of six, ermine and gules, and whose coat was at one time seen in the Abbey house of Milton, Dorsetshire.

¹ See p. 112.

² Collinson's *Hist. of Somerset*, ii, 164.

Her father was Hubert Husey, who died in 1658, and was buried at Sydling. He was twice married, first to Anne, a daughter of Thomas Barnes, of Duntish Court, by whom he had Nicholas, who was born in 1615, and died 1671; Hubert, born 1617—he probably died before his father and brother; Mary; Selina, born 1616, died 1631-2; Agnes, born 1618, died 1624; and Elizabeth, born 1620. He married, secondly, in 1623, Mrs. Barbara Every, widow, of Symondsbury, who died 1664, and was buried at Sydling at the age of sixty-two.¹

Duntish Court occupied a pleasant position overlooking the Vale of Blackmore, and was the chief seat of Alured de Lincoln. Subsequently it was in the possession of Lord Mordaunt, who died in 1601. Then the property came into the family of Barnes, an Act being passed in 44 Elizabeth confirming the sale of lands held by Lord Mordaunt, including Duntish.²

The Barnes' family had, however, much earlier connection with Dorsetshire. In the time of Henry VII they lived at Symondsbury, and through marriage became associated with the Hodders of Whitchurch. Elizabeth Husey's grandfather married Bridget, daughter of Thomas Mill, and sister and co-heiress of Sir Richard Mill, knight, of the county of Southampton. Their son and heir, Henry, died in 1620, and Anne, as we have shown, married Hubert Husey, described as "of Sidling in com. Dorset, gent."

He was a man of considerable property, lands, tenements, etc., in Combe Almer or Combe Marshal, in the parish of Sturminster Marshal, and Lytchet Matravers came to him through trustees on the death, in July, 1604, of his father, Thomas Husey, of Thomson.

Seven years later, Hubert Husey attained his majority.³ He was also the lessee of the manor of Sydling Saint Nicholas, which belonged chiefly to Winchester College. His immediate predecessor holding the lands was Sir Francis Walsingham, Secretary of State to Queen Elizabeth, the man who was mainly responsible for procuring such direct evidence against Mary,

¹ Hutchins' *Hist. of Dorset*, iv, 498.

² *Ibid.*, iii, 708.

³ *Ibid.*, 351.

Queen of Scots, as led to her execution ; a man of unswerving and unscrupulous devotion to his queen. He died in 1590. A few years later, Hubert Husey became the lessee, and went to reside in the manor house which stood on the north side of the churchyard at Sydling.

He evidently took some interest in politics, and was on the side of Charles I when that monarch was engaged in his struggles with his Parliament. And his caustic utterances involved him in trouble. King Charles required money for a French expedition and levied a forced loan. This was strongly resented by many members of the Commons, with the result that a number of the leaders were cast into prison.

Amongst them was Sir Walter Erle, who represented Lyme Regis, and resided at Bindon, near Axmouth. Husey did not approve of Sir Walter's tactics, and did not hesitate to say so publicly. He even went so far as to suggest that "if the peace of the country was disturbed it was owing to Sir Walter Erle."

This was deemed as a reflection on the Parliament, and he was ordered to be sent for as a delinquent. Sir Walter, who was of a Somerset family, had his revenge for his imprisonment, for in 1642 he seized Lyme Regis for the Parliament, became an active Parliamentary officer, and his name frequently occurs in connection with some of the most stirring events in the West of England during the Civil War.¹ Sir Walter's garrison at Lyme consisted of a regiment of ten companies, partly of residents enrolled, and partly of men from other districts of Dorset.

There is one incident of note during the early days of the Commonwealth, in which a Martin was a leading character. On the 19th October, 1650, a certificate was addressed to the Justices of the Peace assembled in General Sessions, that Anne Martin, of Wellington, widow, being in the house with the Hon. Alex. Popham, with her family, at the siege thereof by the late king's forces, "susteyened great losses of goods and cattle, namely seaven kine, one heifer, tenne young cattle, three calves,

¹ Pulman's *Book of the Axe*, 875.

five colts, a mare, and a horse, forty sheep, five beds, with their furniture, bacon, butter, and cheese, wool, linnen, corne of all sorts, pewter, brasse, and other moveable goods valewed in all att the summe of * * * hundred and three score and fifteen pounds, besides the summe of twenty-two poundes in ready money, and that her eldest son was killed in the said howse by the said kynge's forces."¹

In 1645, Hubert Husey was made Sheriff of the county of Dorset. At his death, in 1658, he was succeeded by his son, Nicholas, to whom his property passed. He seems to have died without issue, and to have been followed by his brother, Hubert, who left five daughters.²

The question arises in one's mind—why was Adam Martin and his wife buried at Crewkerne Church and not at Seaborough, where they lived? The reply can only be problematical. Seaborough Church, at the end of the sixteenth century, was ill-adapted to the wants of the inhabitants of the village.³ It had existed over two hundred and fifty years, and it is likely it was in such a condition that Adam preferred leaving directions for his body to be taken to the principal church of the neighbourhood for interment. Crewkerne was, in fact, the mother church of the district, and he was well acquainted with it and its services. There may have been closer reasons why he should have wished to rest here, or it may be that his love for the beautiful neighbourhood accounted for this. Having walked over Bincombe, from whence no prettier panoramic view of Crewkerne can be obtained, might not Adam Martin have thought, as did one who a century later courted the muse to express his thoughts, and sang of that spot:—

“Enchanting mount! what lovely prospects rise,
Around thy brow, to charm my wondering eyes!
Here Art and Nature mutually combine
To please the senses with a view sublime,

¹ Papers of the County of Somerset
in *Hist. MSS. Commission Report*, vii,
694.

² Hutchins' *Hist. of Dorset*, iv, 497.

³ See p. 106.

Hills, vales and meads, with bleating flocks appear,
And woods and groves their shady coverts rear ;
All that can gratify the sense of sight,
Surround this blithsome—this most lovely height !
The pleasant town of Crewkerne lies between,
And adds a grace and beauty to the scene ;
Watered by plenteous streams, whose varied rills
Delight the ear, the soil with herbage fills ;
The cultivated fields and gardens show
What agricultural skill resides below.
The church—the noblest structure of the place,
Commands attention by its stately grace,
Sheltered by lofty elms, whose branches lend
Their friendly shade—the building to defend.
Behold ! the trade appears on either side,
Which guards the sailor from the swelling tide ;
Commerce expands its richly laden wings,
The wealth of nations, and the boast of kings.
Bincombe ! whenever I thy beauties trace,
Imagination represents the place
Where the meek Jewish legislator stood,
And Canaan's favoured land with rapture viewed.
Nor aught is wanting to complete the scene,
But the refreshing brook which rolled between.
This land with milk and honey flowed 'tis true,
And may not Crewkerne boast those treasures too ?
Look round again, and view the beauteous kine,
Or mark the milkmaid's pail at evening time ;
The bee—true emblem of the British swain—
Doth nectared honey from each blossom gain ;
And useful grains and fruits conspire to cheer
The anxious farmer, and reward his care.
This town no need of walls or bulwarks feels—
Nature has fenced it with a fort of hills.
The distant towers, which seem to touch the skies,
Check low desires, and bid my thoughts arise,
Point me to Him who formed each dale and hill,
And gave to man whate'er he has of skill.

But see ! what varied colours meet the eye,
As Sol's last beams adorn the western sky !

What earthly paint can with those tints compare,
 Or what beside can such a lustre wear?
 It sinks, enveloped in a golden ray,
 And balmy evening fills the place of day;
 Venus ascending with the orb of light,
 And both confer a mild but feeble light.
 Whilst every bush bemoans with dewy tears,
 The absence of the sun—till morn appears;
 'Till from the eastern sky the dawn is seen,
 Gilding afresh this sweetly-pleasing scene,
 When numerous flowers their opening leaves display
 To compliment the ruler of the day;
 And birds their tuneful note of welcome sing,
 Making all Bincombe with their music ring.
 Farewell, thou blest retreat! thou lovely spot,
 By me thy aspect won't be soon forgot;
 How oft have I thy paths with pleasure trod,
 In admiration of the works of God."¹

Hutchins gives Adam Martin a son, Christopher, of Seaborough, who married Ursula Hensleigh, of Spaxton, and in the will of the latter, dated 1620, Christopher is mentioned as "over-seer."² Christopher had a son, Adam. He was born in 1672, lived at Seaborough, and was patron of the living, as was his father previously. The right of presentation was exercised by Adam Martin, who gave the living to Fidelis Ash, B.A., on November 17th, 1711, and to Thomas Edgar, on September 15th, 1720.³ In 1756, the living was granted by his son, another Adam, to John Adams, who held it until 1779, when he was succeeded by the Rev. John Wills, D.D.

This man, who was born in 1741, was educated at Crewkerne School, to which he brought a good deal of honour. He matriculated at Wadham College, in 1758, at the age of seventeen, and was Hody Exhibitioner from 1758 to 1765. He graduated B.A. in 1761, and took his M.A. degree in 1765 and B.D. and D.D. 1783. He was warden of his college from that year until 1806, and Vice-Chancellor of Oxford from 1792 to

¹ "Augusta" in the *Weekly Entertainer*, A.D. 1818.

² See p. 97.

³ *Weaver's Somerset Incumbents*, 430.

1796. He bequeathed £27,000 to his college, and rebuilt Seaborough Church. He died on the 16th June, 1801.¹

In Seaborough Church is a mural monument, with the following inscription:—

“M. S. Adami Martin, armig. qui, tanquam semper moriturus, vivens; tanquam semper victurus, mortuus est. Die 15 Jan. 1738, ætat. 66.”

A life-size bust surmounts the memorial, the figure being clothed in a robe gathered close below the shoulders, and a flowing curled periwig.

Adam, who was a feoffee of Crewkerne School,² in 1780, had a son, Adam. He was senior sworn clerk of the Exchequer office in the Temple, and in the commission of the peace for the county of Somerset. Whilst visiting a friend at Wootton, in Warwickshire, he was seized with a violent fever and died on September 11th, 1784. He was buried at Wootton. A note by Hutchins says that this gentleman communicated to the *History of Dorset* the extracts from the *Testa de Nevill*.³

He died without issue, as did also his brother, Richard. Another son of Adam, William, married and had a daughter, Newland Martin, who married Foster Maynard. They had a large family, and from a son is descended the Rev. T. Maynard Shaw, who was in 1905 the Rector of Seaborough.

A branch of the Martin family resided at Long Melford, in Suffolk, to which place Richard Martin removed in the reign of Richard II. In 1558, Roger—a favourite name with this section—Martin was an alderman of the city of London. He was the son of Lawrence Martin, second son of Richard Martin. He assisted in financing Queen Elizabeth, and on November 5th of the year named, he was licensed to take twelve per cent. for the money which he had lent her majesty.⁴ Ten years later he was made Lord Mayor of London. He must have been a very wealthy man, for on the 12th December, 1571, at Green-

¹ Bartelot's *Hist. of Crewkerne School*, 90, 91.

² *Ibid.*, 60.

³ Hutchins' *Hist. of Dorset*, ii, 582.

⁴ *Cal. of State Papers* (A.D. 1547-1580), 111.

wich, Sir Thomas Gresham, the "Queen's Majesties agent" in Flanders, presented to the Lords fifty-nine "bondes" passed under the Great Seal and seal of the city of London for certain money taken up in the city for her majesty's use. Of these bonds, five were to Sir Roger Martin for an aggregate amount of £7,121 10s.¹

A Roger Martin, of Melford, is included in a list of names "of suche as weare committed for Papistry in the counties of Norffolk, Suffolk, and Cantebridge," and the Sheriff of Suffolk was instructed to keep him a close prisoner at Ipswich.² The order was dated August 22nd, 1578, and he was still a prisoner in the February following. In 1592 "Roger Martin, of Melford, Esq.," is referred to as a recusant remaining at liberty in the county of Suffolk.³

In Long Melford Church is a brass to Roger Martin, Esq., who died 1615. Roger, wearing a gown and ruff, is represented lying between his two wives. There are two groups of children below—four sons and two daughters, and two sons and two daughters.⁴ Another brass to Richard Martin, dated 8th March, 1624, depicts a man in a gown, with one wife on his right and two on his left.⁵

Another Roger Martin was created a baronet in 1667 by King Charles II.

Through Richard Martin, the son of Sir William Martin, of Athelhampton, the Devonshire line of the family issued as the result of his second marriage with Margaret, daughter of William Hurst, of Exeter.⁶ And from this time it may be stated the family consistently spelt their name Martyn, and to this form we will now adhere.

Richard, besides having a residence at Seaborough, must have had a house and, perhaps, a business in Exeter. In that city he found his second wife, and of Exeter he was mayor.

¹ *Acts of the Privy Council* (A.D. 1571-1575), 55.

² *Ibid.* (A.D. 1577-1578), 313.

³ Marq. of Salisbury's Papers, *Hist. MSS. Commission Records*, xiii, iv, 269.

⁴ *Topographer and Genealogist*, i, 167

⁵ *Ibid.*

⁶ A portrait of this man hangs in the Mayor's parlour at the Exeter Guildhall.

Risdon gives the date as 27 Henry VIII,¹ but Oliver's *History of Exeter* fixes it as three years earlier.²

At his death, about 1533, his widow married John Drake, of Exeter, whose will was proved on the 7th February, 1554. Margaret's will was dated the 29th March, and proved the 23rd April, 1570, and in it she mentions her step-son, Adam Martyn (of Hinton Saint George), and her daughter, Joyce Martyn.

Richard and Margaret had a son, Nicholas. He married Mary, daughter of Leonard Yeo, of Hatherleigh. He was Mayor of Exeter in 1574 and 1585,³ and twice Governor of the Company of Merchant Adventurers of that city. He was a wealthy man and a bold and successful merchant. First to join in a proposed venture and usually holding the largest stake, he was yet generous to the poor and to local objects.⁴ William Martyn, a brother, was twice Mayor, and twice elected Governor of the Merchant Adventurers, and he strove to equal his brother in wealth and enterprise. During his second mayoralty (1600) he disbursed from his own resources £305 in obtaining the mitigation of customs' duties on woollen cloths. This man had two sons, Thomas, a member of the Guild and Mayor in 1612,⁵ and Richard.⁶ Nicholas was buried in Saint Petrock's Church, Exeter. His son, William, was another member of the family following the law; and he was also an author of considerable repute. He was educated at Exeter and passed to Broadgates Hall, now Pembroke College, Oxford, in 1579, matriculating in 1581 at the age of eighteen. He entered as a barrister of the Middle Temple in 1589, and became eminent in his profession.

He was Recorder of Exeter, his native place, in 3 James I, following Serjeant Heal, who had held the office for nearly twelve years, and who relinquished it in 1605. Sir William, in 1612, published a book entitled *Youths' Instruction*, and this he

¹ Risdon's *Note-Book*, 191.

⁵ *Ibid.*; Oliver's *Hist. of Exeter* says

² Oliver's *Hist. of Exeter*, 231.

1618, p. 231.

³ Risdon's *Note-Book*, 191.

⁶ See p. 129.

⁴ Cotton's *An Elizabethan Guild of the City of Exeter*, 39.

dedicated to his eldest son, Nicholas Martyn, then a student at Oxford. Next he wrote a great work, *The History and Lives of the Kings of England from William the Conqueror to King Henry VIII*, and, subsequently, *The Succession of the Dukes and Earls of this Kingdom of England from the Conqueror until 12 James I.*¹

He seems to have fallen under the displeasure of the king for remarks which he made in his works, and this is said to have so affected him as to hasten his death.

Sir William married Susan Prestwood, of Exeter. He died on April 12th, 1617, at the age of fifty-five years, and was buried in Saint Petrock's Church, Exeter. He is described as "a pious and religious man, and more than ordinarily zealous in those great duties of devotion which constitute and adorn the Christian profession."² He had three sons—Sir Nicholas, of Oxton and Kenton; William, and Edward.

Sir Nicholas, who was born on the 12th April, 1593, was, like his father, educated at Broadgates Hall, Oxford. He matriculated on the 8th March, 1610-11, at the age of seventeen, becoming a student of the Middle Temple in 1613.³ He married Elizabeth Symes, of Pounsford, Somerset, and was a man of considerable property. He was knighted by King James I at his Court at Newmarket, on Saturday, 12th February, 1624, and was pricked Sheriff of Devonshire by King Charles I, on the 10th November, 1639. On the 23rd June, 1646, he was elected Member of Parliament for the county of Devon,⁴ and for eleven years was one of its representatives.⁵

In 1641, he became involved in some political difficulty. It was a year of plots and treasons—the year of the death of Strafford on Tower Hill. Nicholas was also proclaimed a traitor by the king, and he was excepted from the offer of a general

¹ Prince's *Worthies of Devon*, 575.

² *Ibid.*, 576.

³ *Alumni Oxoniensis* (A.D. 1500 to 1714), 979.

⁴ Prince's *Worthies of Devon*, 579.

⁵ *Ibid.*, 576.

pardon together with Sir George Chudleigh, Sir John Northcote, and Sir Samuel Rolle,¹ but was included in an order clearing proclaimed persons issued on the 7th December, 1642.²

Sir George Chudleigh, who lived at Ashton, near Exeter, was a very active personage in the West for the Parliament against the king, but both he and his son subsequently relented, and performed eminent services on behalf of Charles I. His son, Colonel James Chudleigh, was slain at Dartmouth in the king's service, when the town and castle were yielded to Sir Thomas Fairfax.³

Dartmouth had declared for the Parliament and against the king, and although badly situate for defence it held out against Prince Maurice for one month and four days. The town was afterwards garrisoned for the king, and three years afterwards Sir Thomas Fairfax deemed it of too much importance to pass by on his way to Cornwall,⁴ and it was taken by assault by him in January, 1646. The town was stormed at three points by Colonels Pride, Hammond, and Fortescue. Kingswear Fort, on the other side of the river, which was held by Sir Henry Cary, then came to terms; finally the Governor, Sir Hugh Pollard, who had taken refuge in the castle, surrendered. Thus with comparatively little loss, the last town in the district that held out for Charles was taken, and with it one thousand troops, one hundred and twenty guns and two ships.⁵

Another member of the Martin family also courted trouble. The elder daughter of Sir Nicholas married Mr. Turner, a woollen draper, in Watling Street, London. She and her husband were staunch Parliamentarians, and when Pym (who was a Somerset man and M.P. for Tavistock), Hampden, Denzil Holles, Arthur Hazlerigge, and William Strode, five commoners, were impeached with Lord Kimbolton for having traitorously invited a foreign power (the Scots) to invade England, and fled, they

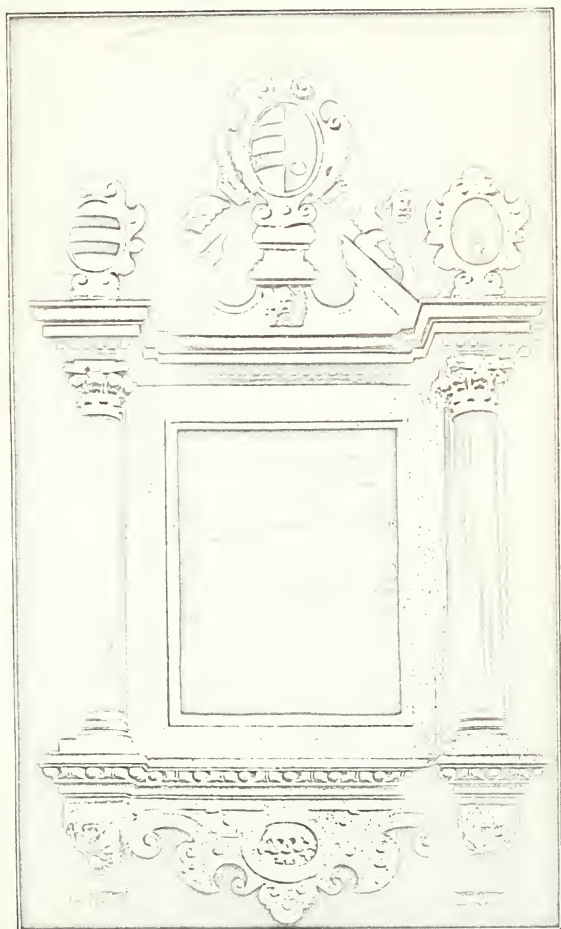
¹ Hamilton's *Quarter Sessions*, 134.

⁴ Newman in *Devonshire Association Transactions*, iii, 132.

² Mr. Bouverie's MSS. in *Hist. MSS. Commission Report*, VIII, i, 77.

⁵ Worth's *Hist. of Devonshire*, 274.

³ Prince's *Worthies of Devon*, 218.



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Martyn Monument in Kenton Church.

found sanctuary at the house of Mr. Turner, and lay hid there whilst Charles I was searching for them in the city.

The Lady Elizabeth also seems to have been of a pugnacious character. In 1644 the constables of Kenton, near Exeter, acting under orders of His Majesty's Commissioners, arrested one Archillis Slapton. The Lady Elizabeth Martyn interested herself on the man's behalf, and, it is alleged, beat and abused the constables, and incited others to follow her example. The result was that the constables lost their prisoner. A great fuss was made, and the constables were ordered to apprehend the Lady Elizabeth and to bring her before some one of His Majesty's justices of the peace, but, apparently, this was not done.¹

Sir Nicholas was elected a knight of the shire in June, 1646. In 1648 he was added to the committee of militia for Devonshire.² He died 1653.³ Prince, on the authority of Sir Nicholas' son, William, gives prominence to a singular event which is alleged to have taken place at the demise of this man. He says:—

"Immediately before his death, as he lay sick at his house at Netherex, one of the bells of that church began to toll of itself, and continued so to do to the time of his death, about the space of a quarter of an hour.

"A like thing is said to have happened at the interment of Boniface, our countryman, Archbishop of Mentz, when his body was brought to the abbey of Fulda to be buried."

A handsome monument was erected to Sir Nicholas in Kenton Church. It has been restored within the past few years by Mr. Michael Williams, of London, a descendant of the family, who has also shown great care for the Martyn memorials in Hinton Saint George and Seaborough Churches.

The monument is inscribed:—

¹ Hamilton's *Quarter Sessions*, 134.

² Prince's *Worthies of Devon*, 576.

³ Papers of Sir F. Graham, Bart., in *Hist. MSS. Commission Report*, VII, 27.

" Sir Nicholas Martyn, Knight,
 having lived sixty years dyed
 the 25th day of March Ao. Doh.

1653.

And here lyeth deposited his mortal
 Part until it shall be raised up unto
 Immortal Life and Glory.

Surpassing the philosophers, this stone
 Shall turne to pearles the teares are dropt thereon;
 Since to praise worth, praiseworthy doth appeare,
 This shrine makes saints of them which offer here
 Their spice and balme for to perfume his name,
 Which rather more perfumed are by the same."

The next in the direct line was William, his son, who married Elizabeth, daughter of Sir Shilston Calmady. He died at Netherexe in 1662. His widow departed this life in 1695 at Oxtou. He was a justice of the peace for the county. His eldest son was Nicholas Martyn, J.P., who married, in 1675, Gertrude, daughter of John Saint Aubyn, of Saint Michael's Mount, and sister of Sir John Saint Aubyn, first baronet, of Clowance, Cornwall.

This Nicholas greatly injured and reduced his patrimony by persistent gambling, and on the 24th February, 1691-2, royal assent was given to an Act for the sale of the manor of Manworthy, with the appurtenances in the county of Devon, belonging to Nicholas, and which was in the hands of trustees, the money raised to be used in the liquidation of Nicholas' debts.¹

Nicholas died in 1717, and was interred at Kenton. He was followed at Oxtou by his eldest son, William, who married, in 1705, his cousin, Susanna, daughter of William Martyn, of Holnicote, Somerset, sometime Clerk of the Peace for Devonshire. He died at Oxtou in 1710, leaving as his successor an only child, William Clifford Martyn, who was born in 1706, and married, in 1733, Mrs. Elizabeth Langton, of Saint Paul's,

¹ *Hist. MSS. Commission Reports*, XIII, i, 77.

Covent Garden, spinster, who was buried at Kenton in October, 1753. William Clifford Martyn died without issue at Oxton, in April, 1770, and with him the male line of this family terminated.¹

By his will, dated 11th October, 1769, writes a descendant of Nicholas Martyn, he bequeathed Oxton and his lands in Kenton and one farm in Netherexe to a first cousin, Nicholas Tripe, of Ashburton, whose mother was Susanna, second daughter of Nicholas Martin and Gertrude Saint Aubyn. Mr. Tripe's eldest son, the Rev. John Tripe, took the name and arms of Swete on inheriting the estates of the last Swete of Trayne, in Modbury, in 1781. Mr. Swete was a Prebendary of Exeter Cathedral, and a most learned classical scholar. He rebuilt the house at Oxton about the year 1782. His eldest son, John Beaumont Swete, was Sheriff of Devon in 1830.

William Clifford Martyn devised the residue of his property, which included the old manor house (now pulled down), the barton, advowson, and manorial rights of Netherexe, the manor of Black Torrington, besides personal property in Exeter and elsewhere, to another cousin, Peter Young, whose mother was Katherine Martyn, fourth daughter of Nicholas Martyn and Gertrude Saint Aubyn. Mr. Young's descendants parted with their inheritance in or about the year 1845. Oxton was sold by Mr. Swete in 1848, and then all that had remained of the once great estates of this family, acquired with such care and industry by Recorder Martyn in the reign of Elizabeth, was finally dispersed and passed into the hands of strangers.²

There is still another member of the Martyn family who deserves notice, and none the less because he provides one more instance of a Martyn holding high position in the legal profession with which many of his ancestors had been so honourably associated.

Richard Martyn was the son of William Martyn, of Exeter, by his first wife, Anne, daughter of Richard Parker, of Sussex,

¹ M.W. in *Devon Notes and Queries*,
ii, 65.

² M.W. in *Devon Notes and Queries*,
ii, 66.

The death of Elizabeth is also recorded in 1677 at the age of 75 years. She was also buried in South Petherton Church. Their marriage took place in 1623, James Ayshe being the son of William Ayshe, of South Petherton.¹

We have completed our task. We have introduced to our readers the principal members of the Martin family who were connected with the West of England. The fate of that family, as exemplified in their motto—"*Accedimus, Succedimus, Decedimus*"—has been strangely fulfilled.

Lawyers, soldiers, above all owners of vast lands, they rose higher and higher in wealth and position until Somerset and Devonshire had no more influential and important sons. From commoners they became knights and barons of great influence and great affluence. From barons they descended to knights and commoners, and their possessions disappeared.

Now Barnstaple, Dartington, Seaborough, Crewkerne, Oxtou, and Hinton Saint George know them no more. But the brass in Crewkerne Church, the tablet in Hinton Saint George Church, the mural monuments at Seaborough and Kenton keep alive the memories of men, many of whom brought great honour to the West of England; men who were prominent amongst those pioneers who built up the English legal system, who fought and bled to uphold the prestige of Great Britain.

Of the many visitors who look upon that sheet of dull brass in Crewkerne Church, without date, without eulogy, and read the name of "Adam Martine, of Seaborow," few probably know much of the family of which he was a representative.

We have attempted to give some information concerning the main branch of that family, and, at the same time, to add to a slight extent to the local history of the West of England, the birth-place of so many eminent men, and amongst whom may fairly be numbered members of the Martin family.

¹ *Somerset Visitation, 1623* (Harleian Society), xi, 4.

The Martin Pedigree.

St. Martin of Tours.

Martin de Tours. *1066*Robert FitzMartin. *1100*Robert FitzMartin. *1100*Robert FitzMartin. . . , dau. of William FitzWalter or Maud Peverel. *1100*William FitzMartin. . . , dau. of Rhys ap Griddith, Prince of S. Wales. *1100*William FitzMartin. Engahared. *1132-1197*Sir Nicholas FitzMartin. Matilda, dau. and heiress of Guy de Brien, Eva de Tracy, grand-dau. and heiress of Henry de Tracy, Baron of Barnstaple. *1182*Nicholas. Lord William. Eleanor, dau. of Colinet. David Martin, Robert.
Martin. *1132-1197* Bishop of St. David's.Edward. Wil- Margaret Robert Hugh Joan Lord Eloa Philip
liam, Hastings. de de Lacy, Nicholas nor. de Philip
died Water- Earl of de Aud- de Colum-
s.p. ville. Lincoln. leigh. bers.*Barnstaple
Steward*

The Dorset Line.

St. Martin of Tours.

Martin de Tours.=

Sir Nicholas FitzMartin.=Matilda, dau. and heiress of Guy de Brien and Eve de Tracy, grand-dau. and heiress of Henry de Tracy, Baron of Barnstaple.

Sir Robert Martin.=Anne.

Nicholas Martin.=Edmund.

Robert Martin.=

Robert Martin, of Yeovilton.=. . . , dau. of Peter de Yevelton.

Robert Martin, of Yeovilton.=Margaret, dau. of John Basset.

Sir Robert Martin, of Athel.=Agnes, dau. and heiress of Richard Loundres, lord hampton. of Pydel.

Sir Richard Martin, of Athel.=Elizabeth, dau. and heiress of Henry Pydel, of hampton. Athelhampton.

Thomas Martin.=. . . , dau. of Sir John Clevedon.

Isabel, dau. and heiress of==Sir William Martin, of==Christian, dau. of Sir Wil-
Thomas Farrington, of Athelhampton. liam Poulett, of Hinton St.
Farrington. George.

Christopher Martin, who continued
the Dorset line.

Richard Martin.

Adam Martin, progenitor of Seaborough line.

The Dorset Line.

St. Martin of Tours.

Martin de Tours.=

Isabel, dau. and heiress of Sir William Martin,=Christian, dau. of Sir William
Thomas Farringdon, of of Athelhampton. Poulett, of Hinton St. George.
Farringdon.

Christian, dau. of John Cheverel,=Christopher Martin, of=Edith.
of Chantmarle. Athelhampton.

Robert Martin, of=Elizabeth, dau. and heiress of Sir
Athelhampton. John Kelway, of Rockbourne.

Nicholas Martin, of=Margaret, dau. and heiress of John and sister
Athelhampton. of Nicholas Wadham, of Merrifield.

| | | | | |
|----------------------------|---------|---------------------------------|---------------------------------|--|
| Elizabeth.=Henry Brune. | Frances | Thos. White, of Fittlerford. | Jane.=Henry Titch- borne. | Anne.=Anthony Floier, of Exeter. |
|----------------------------|---------|---------------------------------|---------------------------------|--|

The Seaborough Line.

St. Martin of Tours.

Martin de Tours.=

Isabel, dau. and heiress of Sir William Martin,=Christian, dau. of Sir William
Thomas Farrington, of of Athellampton. Poulett, of Hinton St. George.
Farrington.

Margaret Golde, dau. of Thomas=Richard=Margaret, dau. of William Hurst, of
Golde, of Seaborough. Martin. Exeter.

Adam Martin, of Hinton St. George.=Elizabeth Joneson.

Hugh Martin, of Seaborough.=Agnes, dau. of John Preston, of Cricket St. Thomas.

Adam Martin, of Seaborough.=Elizabeth, dau. of Hubert Husey, of Sydling.

Christopher Martin, of Seaborough.=Ursula, dau. of Henry Hensleigh, of Spaxton.

Adam Martin, of Seaborough.=Elizabeth, dau. and heiress of . . . Gardener.

Adam Martin, of Seaborough.=

Adam Martin, Richard Martin, William Martin.= . . . dau. and heiress of
died s.p. died s.p. H. Hallett.

Newland Martin.=Foster Maynard.

The Devonshire Line.

St. Martin of Tours.

Martin de Tours.=

Margaret, dau. of Thomas Golde, = Richard Martin, = Margaret, dau. of William
of Seaborough. Mayor of Exeter. Hurst, of Exeter.

Nicholas Martin, Mayor of Exeter. = Mary, dau. of Leonard Yeo, of Hatherleigh.

Sir William Martin, Recorder of Exeter. = Susan Prestwood, of Exeter.

Sir Nicholas Martin, = Elizabeth, dau. of John Symes, of Pounsford,
of Oxton. Somerset.

William Martin, of Netherexce. = Elizabeth, dau. of Sir Shilston Calmudy.

Nicholas Martin, of Oxton. = Gertrude, dau. of John St. Aubyn, of St. Michael's
Mount.

William Martin, of Oxton. = Susanna, dau. of William Martin, of Holnicote

William Clifford Martin, of Oxton; died s.p. = Elizabeth Langton.



otograph by

F. G. Christopher, Crewkerne

Crewkerne Church.

and was, consequently, a step-brother of Adam Martyn, of Hinton Saint George. He was born at Otterton, not far from Sidmouth, and was, like other members of the family, educated at Broadgates Hall, of which he became a Commoner in the Michaelmas term, 1585. He is spoken of as a youth of "extraordinary parts and ingeny."¹ In 1588, he became a member of the Middle Temple, but was expelled for riot in 1591. Called to the Bar in 1602 he followed up his earlier successes by attaining to high judicial appointments.

In 1601, he was elected a Member of Parliament for Barnstaple, and represented his constituency for many sessions. Mr. Martyn was appointed Lent reader of his house in 1615, an office, Prince states, "of great state and honour, for the reader in the precincts of the house hath the precedence of all the guests, which are often great lords, judges, serjeants-at-law, as well as others, be they of never so high a degree."²

Upon the death of Sir Anthony Benn, Mr. Martyn was, by the recommendation of King James I, made Recorder of the City of London in September, 1618, although Dugdale seems to intimate that he was advanced to that honourable office some time previously.

And there is some reason for believing Dugdale to be more correct than Prince, although both are corroborated and both are contradicted by other authorities. His death is said to have occurred in 1614,³ about 1616, and 1620.⁴

Here is sufficient choice to please the most fastidious. And to these dates may be added the information that he died on the 31st October, 1618, at the age of 48,⁵ and that his demise took place on the 7th November, 1618.⁶

Then there is still one more date given of his death, and as the entry records some important particulars we reproduce it *in extenso* :—

¹ Prince's *Worthies of Devon*, 576.

² *Ibid.*, 577.

³ Mr. Bouchier's MSS. in *Hist. MSS. Commission Report*, X. vi, 84.

⁴ Prince's *Worthies of Devon*, 578.

⁵ Le Neve's *Pedigrees of the Knights* (Chas. II. to Anne) (Harleian Society), 58.

⁶ *Cal. of State Papers* (A.D. 1611 to 1618), 589.

"A.D. 1614 (*sic*) Mr. Richard Martin being made Recorder of London and havinge bine suspected heretofore of the murder of one Mr. Ferrers (the fame went) that one of Mr. Ferrers' sisters, whether the Lady Somerfeeld, or other, should saye—God forbid that ever he should sit upon blood before he hath paid the price of bloud himselfe; but it seems the Recorder goinge to the recett [of the] Venetian Ambassador dranke somewhat deepe with him in theyr strange kinde of drinke, and there of surfettinge presently after dyed, never keeping any sessions, which are every three weeke."¹

The record that Mr. Martyn did not "keep any sessions" is corroborated by Prince who, on the authority of the *Athana Oxoniensis* says he enjoyed the office but little more than a month.²

To Richard Martyn, Ben Johnson dedicated his comedy, *The Poetaster*, and he was accounted one of the highest wits of his age and our nation. He gave by his will to the Church of Otterton £5, and to the Church of Colaton Raleigh, where he resided, a like sum.³ He was buried in the church belonging to the Temple.

He left issue, John Martyn, who was sometime Mayor of Exeter, and whose daughter and heir, Elizabeth, married James Ayshe, of South Petherton. To this latter man a monument was erected in South Petherton Church, with the inscription:—

"Memoriæ æternæ Jacobi Ayshe, generosi, qui cum ad 28 pie vixisset annu' in Domino placide ob. Maij 5, 1626.

Dormit in hoc tumulo corpus sed spiritus alte,
Scandit et ad cœlum gratia pandit iter:
Non dedit in nostris vicinia nostra diebus
Doctrinâ similem, vel pietate, virum.
Integral vita fuit pia mors mens dedita Christo;
Est pia grata Deo mors quia vita fuit."⁴

¹ Mr. Bouchier's MSS. in *Hist. MSS. Commission Report*, X, vi, 84.

³ Prince's *Worthies of Devon*, 578.

⁴ Collinson's *Hist. of Somerset*, iii, 112.

² Prince's *Worthies of Devon*, 577.

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